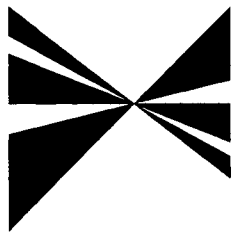


SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

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Los Angeles, California

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Los Angeles County: Yvonne Brathwaite Burke, Los Angeles County • Zev Yaroslavsky, Los Angeles County • Jim Aldinger, Manhattan Beach • Harry Baldwin, San Gabriel • Paul Bowlen, Cerritos • Tony Cardenas, Los Angeles • Margaret Clark, Rosemead • Gene Daniels, Paramount • Mike Dispenza, Palmdale • Judy Dunlap, Inglewood • Rae Gabelich, Long Beach • Eric Garcetti, Los Angeles • Wendy Greuel, Los Angeles • Frank Gurulé, Cudahy • James Hahn, Los Angeles • Janice Hahn, Los Angeles • Isadore Hall, Compton • Tom LaBonge, Los Angeles • Martin Ludlow, Los Angeles • Cindy Miskowski, Los Angeles • Paul Nowatka, Torrance • Pam O'Connor, Santa Monica • Alex Padilla, Los Angeles • Bernard Parks, Los Angeles • Jan Perry, Los Angeles • Ed Reyes, Los Angeles • Greig Smith, Los Angeles • Tom Sykes, Walnut • Paul Talbot, Alhambra • Sidney Tyler, Pasadena • Tonia Reyes Uranga, Long Beach • Antonio Villaraigosa, Los Angeles • Dennis Washburn, Calabasas • Jack Weiss, Los Angeles • Bob Yousefian, Glendale • Dennis Zine, Los Angeles

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San Bernardino County: Gary Ovitt, San Bernardino County • Lawrence Dale, Barstow • Paul Eaton, Montclair • Lee Ann Garcia, Grand Terrace • Tim Jasper, Town of Apple Valley • Susan Longville, San Bernardino • Deborah Robertson, Rialto • Alan Wapner, Ontario

Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

No. 463 MEETING OF THE

REGIONAL COUNCIL

**Thursday, May 5, 2005
11:30 a.m. – 12:30 p.m.**

NOTE NEW TIME AND LOCATION

**The Los Angeles Athletic Club
431 W. 7th Street
Los Angeles, CA 90014**

Agenda and Map Enclosed

**Agendas and Minutes for the
Regional Council are also available at
www.scag.ca.gov/committees/rc.htm**

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Shelia Stewart at 213.236.1868 or stewart@scag.ca.gov.

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. If you require such assistance, please contact SCAG at 213.236.1868 at least 72 hours in advance of the meeting to enable SCAG to make reasonable arrangements. To request documents related to this document in an alternative format, please contact 213.236.1868.



The Los Angeles Athletic Club

is located at:

431 West Seventh Street

Los Angeles, CA 90014

Main Phone: **213-625-2211**

From 110 Freeway – North and South

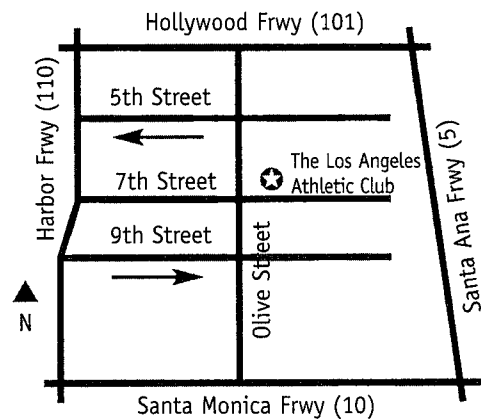
Stay in right lane and **EXIT at Ninth Street.**

Follow **Ninth Street EAST** 6 blocks to Olive Street.

TURN LEFT onto **Olive Street** and stay in right lane.

Proceed 2 blocks to **Seventh Street.**

Cross Seventh Street. Parking garage is the first driveway **on the right.** The parking garage address is 646 South Olive Street.



Public Transit Options from Union Station

Take the **“B” Dash** on Alameda Street across from the station and debark at **7th & Olive.**

Take the **Red Line** and debark 3 stops later at the **7th Street/Metro Center Station.**

Follow signs to the **Hope Street/7th Street exit** and continue walking **EAST.** The Athletic Club is one block past Grand Avenue on 7th.

REGIONAL COUNCIL

AGENDA

	PAGE #	TIME
1.0 <u>CALL TO ORDER & PLEDGE OF ALLEGIANCE</u>	Mayor Pro Tem Roberts, President	
2.0 <u>PUBLIC COMMENT PERIOD</u> – Members of the public desiring to speak on items on the agenda, or items not on the agenda, but within the purview of the Council, must fill out and present a speaker's card to the Executive Assistant prior to speaking. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The President may limit the total time for all comments to twenty minutes.		
3.0 <u>CONSENT CALENDAR</u>		
3.1 <u>Approval Items</u>		
3.1.1 <u>Approve Minutes of April 7, 2005 Attachment</u>	01	
3.1.2 <u>Approval of Contracts Attachment</u>	11	
• Champion Services Group	12	
• Fox and Sohagi, LLP	13	
3.1.3 <u>Approve a Request to co-host an International Conference with USC Attachment</u>	15	
3.1.4 <u>Approve an RTIP Expedited Project Selection Procedures Attachment</u>	16	
3.1.5 <u>Approve an RTIP Amendment Procedures Attachment</u>	20	
3.1.6 <u>Approve Preliminary Schedule for the next RTP Update Attachment</u>	22	
3.2 <u>Receive & File</u>		
3.2.1 <u>State and Federal Legislative Matrix Attachment</u>	26	



REGIONAL COUNCIL

AGENDA

	PAGE #	TIME
<u>Receive & File – Cont'd</u>		
3.2.2 <u>Purchase Orders between \$5,000 - \$25,000 Attachment</u>	92	
3.2.3 <u>Summary of Policy Committee actions taken April 7, 2005 Attachment</u>	93	
4.0 <u>PRESIDENT'S REPORT</u>		
4.1 <u>Update on Housing & Transportation Issues currently under consideration by the State Legislature Attachment</u>	Rusty Selix, Executive Director, CALCOG 95	
4.2 <u>Appointments</u>		
4.3 <u>Report on April 28 meeting with the Tribal Governments</u>		
4.4. <u>Discussion of the June 1 & 2 Retreat held at the Pierpont Inn in Ventura</u>		
4.5 <u>Discussion regarding scheduling of the July/ August meetings</u>		
5.0 <u>EXECUTIVE DIRECTOR'S REPORT</u>		
6.0 <u>ACTION ITEMS</u>		
6.1 <u>Administration Committee Report</u>		
6.1.1 <u>FY 2005-2006 Overall Work Program Attachment</u> Supplemental Attachment Enclosed	96	
Recommended Action: Adopt Resolution #05-462-2.		



REGIONAL COUNCIL

AGENDA

		PAGE #	TIME
<u>Administration Committee Report – Cont'd</u>			
6.1.2	<u>Caltrans/SCAG Planning MOU Attachment</u>	100	
	Recommended Action: Approve		
6.1.3	<u>Cost Recovery Policy Attachment</u>	101	
	Recommended Action: Approve		
6.1.4	<u>Request to Increase Threshold for Contracts Attachment</u>	104	
	Recommended Action: Approve		
6.2	<u>Transportation & Communication Committee (TCC) Report</u>		Councilmember Garcia, Chair
6.2.1	<u>State Transportation Legislation Attachment</u>	105	
	Recommended Action: Approve positions.		
6.3	<u>Community, Economic & Housing Development Committee (CEHD)</u>		Councilmember Robertson, Chair
6.3.1	<u>Report on Compass Partnership Attachment</u>	179	
6.3.2	<u>Report on Housing Summit</u>		
6.4	<u>Communications & Membership Committee</u>		Councilmember Becerra, Chair



REGIONAL COUNCIL

AGENDA

	PAGE #	TIME
7.0		
<u>INFORMATION ITEMS</u>		
7.0		
<u>Monthly Financial Report</u> Attachment	181	
8.0		
<u>FUTURE AGENDA ITEMS</u>		
Any committee members desiring to place items on a future agenda may make such request. Comments should be limited to three minutes.		
9.0		
<u>LEGAL COUNSEL REPORT</u>		
9.1		
<u>Closed Session</u>		
<ul style="list-style-type: none">• <u>Deanna Wetherbee-Distel et al. vs. Miguel Leon Martin et al.; Southern California Association of Governments; Riverside Transit Agency; Western Municipal Water District- Complaint for Wrongful Death; Case Number: RIC 417340</u> Conference with Legal Counsel re: pending litigation, pursuant to Cal. Gov. Code Section 54956.9(a)• <u>Morrison v. SCAG</u> Morrison v. Southern California Association of Governments et al. Superior Court, Los Angeles County, Case No. BC 312066 Conference with Legal Counsel re: pending litigation pursuant to Government Code section 54956.9(a)• <u>Havens v. SCAG</u> Havens v. Southern California Association of Governments, Los Angeles County, Case No. BC 324931 Conference with Legal Counsel re: pending litigation Pursuant to Government Code section 54956.9(a)		

REGIONAL COUNCIL

AGENDA

PAGE # TIME

10.0 RECOGNITION OF INCOMING PRESIDENT

10.1 Passing of the Gavel

11.0 ANNOUNCEMENTS

The E Region (NARC) Newsletter was emailed to all members.
Additional copies available upon request.

12.0 ADJOURNMENT

The next meeting is scheduled for Thursday, June 2, 2005.

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

April 7, 2005

Minutes

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at SCAG Offices downtown Los Angeles. The meeting was called to order by the Vice President Toni Young, Councilmember, City of Port Hueneme. There was a quorum.

Members Present

Councilmember Toni Young, Port Hueneme, 1st Vice President	District 45
Supervisor Yvonne Burke, LA County, 2 nd Vice President	
Supervisor Chris Norby, Orange County	
Supervisor Gary Ovitt, San Bernardino County	
Councilmember Greg Pettis, Cathedral City	District 2
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Mayor Ron Loveridge, Riverside	District 4
Councilmember Lee Ann Garcia, Grand Terrace	District 6
Councilmember Deborah Robertson, Rialto	District 8
Councilmember Alan Wapner, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Lou Bone, Tustin	District 17
Councilmember Marilyn Poe, Los Alamitos	District 20
Councilmember Art Brown, Buena Park	District 21
Mayor John Beauman, Brea	District 22
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Tom Sykes, Walnut	District 37
Councilmember Paul Nowatka, Torrance	District 39
Councilmember Jim Aldinger, Manhattan Beach	District 40
Councilmember Dennis Washburn, Calabasas	District 44
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Greig Smith, Los Angeles	District 59

Councilmember Debbie Cook, Huntington Beach
Councilmember Robin Lowe, Hemet

District 64
RCTC

Members Not Present

Supervisor Zev Yaroslavsky, LA County
Supervisor Judy Mikels, Ventura County
Supervisor Jeff Stone, Riverside County
Councilmember Jo Shields, Brawley
Mayor Pro Tem Ron Roberts, Temecula, President
Councilmember Susan Longville, San Bernardino
Councilmember Cathryn De Young, Laguna Niguel
Councilmember Richard Chavez, Anaheim
Councilmember Isadore Hall, Compton
Councilmember Rae Gabelich, Long Beach
Councilmember Tonia Reyes-Uranga, Long Beach
Councilmember Pam O'Connor, Santa Monica
Councilmember Bob Yousefian, Glendale
Councilmember Mike Dispenza, Palmdale
Councilmember Ed Reyes, Los Angeles
Councilmember Wendy Greuel, Los Angeles
Councilmember Dennis Zine, Los Angeles
Councilmember Tom LaBonge, Los Angeles
Councilmember Jack Weiss, Los Angeles
Councilmember Tony Cardenas, Los Angeles
Councilmember Alex Padilla, Los Angeles
Councilmember Bernard Parks, Los Angeles
Councilmember Jan Perry, Los Angeles
Councilmember Martin Ludlow, Los Angeles
Councilmember Cindy Miscikowski, Los Angeles
Councilmember Eric Garcetti, Los Angeles
Councilmember Antonio Villariagosa, Los Angeles
Councilmember Janice Hahn, Los Angeles
Councilmember Thomas Buckley, Lake Elsinore
Councilmember Keith Millhouse, Moorpark
Mayor James Hahn, Los Angeles

District 1
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District 62
District 63
VCTC
At-Large

Staff Present

Mark Pisano, Executive Director
Jim Gosnell, Deputy Executive Director
Heather Copp, Chief Financial Officer
Colin Lennard, General Counsel
Karen Tachiki, Chief Counsel
Hasan Ikhrata, Director, Planning & Policy
Keith Killough, Director, Information Services
Shelia Stewart, Executive Assistant

000002

1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE

Councilmember Young requested that an Inspiration follow the Pledge of Allegiance. A member will be selected to speak or read something of inspiration prior to the start of the meeting.

2.0 PUBLIC COMMENT PERIOD

There were no comments presented at this time.

3.0 CONSENT CALENDAR

The following consent calendar items were MOVED (Becerra), SECONDED (Nowatka) and UNANIMOUSLY APPROVED.

3.1 Approval Items

3.1.1 Approve Minutes of March 3, 2005

3.1.2 Approval of Contracts

- Cambridge Systematics
- Economics & Politics, Inc
- Govplace
- Moore Iacofano Goltsman, Inc. (MIG)
- Strategic Consulting & Research
- The Planning Center
- SBC

Memorandum of Understanding (MOU)

- Heavy Duty Truck Model Improvement

3.1.3 Approval of the Milken Institute 2005 Global Conference

3.2 Receive & File

3.2.1 State and Federal Legislative Matrix

4.0 PRESIDENT'S REPORT

4.1 Nominations from TCC, EEC, CEHD & Communications Task Force on Regional Citizens Award

The EEC nominated Dr. Kay Martin, Vice President, BioEnergy Producers Associations. . The CEHD committee nominated Randall Lewis, Executive Vice President, Lewis Operating Corporation. The Communications Committee selected Tony Valdez, to receive the Communications Award (media). The TCC was unable to select a member at the time.

It was MOVED (Brown), SECONDED (Lowe) and UNANIMOUSLY APPROVED.

4.2 **Appointments**

RC District Election Results

Hon. Larry McCallon, Highland, District 7 (Newly Elected)

Hon. Paul Eaton, Montclair, District 9 (Newly Elected)

Hon. Lawrence Dale, District 11 (Re-elected)

Hon. Paul Nowatka, Torrance, District 39 (Re-elected)

RC Members to Policy Committees

Admin & TCC

Hon. Victor Carrillo, Imperial County

Subregional Representatives to Policy Committees

CEHD

Representing San Gabriel Valley COG

Hon. Daniel Arguello, Alhambra

EEC

Representing Arroyo Verdugo Cities

Hon. Joyce Streator, Pasadena (Re-appointed)

TCC

Representing San Gabriel Valley COG

Hon. Enid Joffe, Sierra Madre

Benchmarks Task Force

Bev Perry, City Clerk, Brea

Personnel Committee

Hon. Toni Young, Port Hueneme

Hon. Gary Ovitt, San Bernardino County

South West Compact TF

Hon. Frank Gurule, Cudahy

Water Policy Task Force

Hon. Sandy Baldonado, Claremont

Joe Mundine, Los Angeles Bureau of Sanitation

Bill Wright, MWD

4.3 **National Association of Regional Council (NARC) Update**

Fred Abouselman, Director, Transportation provided a general overview of NARC and the organization's efforts in the TEA-21 Reauthorization process.

4.4 **Correspondence from Tribal Governments**

Two letters were received from Hon. Raymond Torres, Chairman, Torres-Martinez Desert Cahuilla Indians. The first invites SCAG to a meeting with Tribal Governments on April 28, 2005 at the Agua Caliente Spa Resort Hotel.

The second letter sent by the Torres-Martinez Desert Cahuilla Indians to each Tribal Government also inviting them to the April meeting. This meeting is a follow-up to a Summit organized by SCAG on September 9, 2004.

4.5 **EXECUTIVE DIRECTOR'S REPORT**

The Executive Director referred the members to his Report and in particular noted that he would like to report on four specific areas which arose out of proposals brought forward by the Governor. The four areas are: housing, CEQA Improvement, Proposition 42 and Goods Movement.

There have been Housing stakeholders group meetings which the Executive Director has been participating in along with representatives of other groups, including Rusty Selix. A Legislative proposal prepared by HCD received negative reactions from various sources, subsequently Governor asked the League of California Cities and others to come forward with a proposal. At this point in the development there are only principals and no details. The principals being discussed include:

- A 20 year land inventory within each city.
- Each jurisdiction must be responsible for its population and employment. The numbers would be derived through a simple formula by the state. Some trading would be allowed within the region. Targets would then be incorporated into city's planning activities over 5, 10, 15 and 20 years.
- League and CSAC do not want the state to have to approve, city's would self certify and there are appropriate approvals at the regional level. State wants principals of accountability.
- Cities have indicated for them to move forward in this manner they will need resources and environmental streamlining. Issue of financing is on the table.

CEQA Improvement-lead by the Administration. This is a one year long advisory committee forum. Broad cross section of representation on the committee. The basic concept that is on table is if cumulative impact analysis is done up front in the regional plans then at the back end there is relief from environmental work. Work of the MPO's such as Compass and Growth Visioning by SANDAG is the basis of discussion of up front planning. If a region has done the work such as what we have done on Compass and city's have reinforced those policies with ordinances etc. then projects should have a categorical exemption. Discussions are also moving to a more outcome driven analysis. Environmentalist want a demonstration of improvement and funding for mitigation. Cities are also saying that they need funding for mitigation

Proposition 42- The Governor proposed reductions in funding for Proposition 42. The Assembly put out a proposal that is the first time that they have said the Governor needs to change his policy. The Executive Director has participated in developing options on the Senate side. The Executive Director believes that there will be an effort to get the Governor to restore the money. There are a number of proposals on the table to put money back into transportation. The Transportation community needs to continue to communicate this message to the Governor.

Goods Movement-state has had a follow up summit and discussions with their own plan. The plan does reflect SCAG priorities and SCAG plans. The region is asking for \$900 million and there is a members letter to support this request. There are unresolved issues about how to fund the rest of the region's need and we are proposing that innovative financing be utilized to meet those needs.

Mr. Pisano announced that Keith Killough, was selected as Director, Information Services.

5.0 ACTION ITEMS

5.1 Administration Committee Report

5.1.1 General Fund Reconciliation

It was MOVED (Dixon), SECONDED (Tyler) and UNANIMOUSLY APPROVED with an amendment to the RC/Committee meetings item to show \$30,000 as proposed budget.

5.1.2 Approval of Regional Council Revised Stipend and Travel Policies

The Administration Committee recommended that the Regional Council approve with the following amendments:

Item #2, 1st sentence – The RC shall authorize *In advance* member business; and

Add Item 7 – *For General Assembly and retreat SCAG will reimburse RC members for lodging.*

It was MOVED (Dixon), SECONDED (Tyler) and UNANIMOUSLY APPROVED.

5.1.3 General Fund Authorization for SCAG Legislative Day in Sacramento

It was MOVED (Dixon), SECONDED (Robertson) and UNANIMOUSLY APPROVED with consideration of alternative dates.

5.1.4 Resolution 05-462-1 regarding State Planning & Research Grant Multi-County Goods Movement Study

It was MOVED (Dixon), SECONDED (Ovitt) and UNANIMOUSLY APPROVED.

5.2 **Nominating Committee Report**

5.2.1 **Election of 2005 Officers**

Councilmember Young announced the Nominating Committee's recommendation for 2005 Officers. They are: Councilmember Toni Young, President; Supervisor Yvonne Burke, 1st VP and Supervisor Gary Ovitt, 2nd VP.

It was MOVED (Dixon), SECONDED (Becerra) and UNANIMOUSLY APPROVED.

5.3 **Bylaws Committee Report**

5.3.1 **Consideration of Bylaws Amendment(s)**

The Bylaws currently provide the following with regard to membership of the Executive Committee: "The membership of the Executive Committee shall be comprised of the President, Vice President, Second Vice President and Immediate Past-President. The Executive Committee shall also include the Chair of the Administration Committee the three Policy Committee Chairs." *See* SCAG Bylaws, Article V, Section A(11)(a). Thus, a total of 8 members are on the committee.

Currently a quorum is five members of the Executive Committee. The affirmative vote of the majority of the Executive Committee quorum is required for an action by the Executive Committee. *See* SCAG Bylaws, Article V, Section A(11)(d).

Recently, vacancies occurred in the Second Vice President and Immediate Past-President positions. This posed a quorum difficulty at Executive Committee meetings when two members were not able to attend a meeting, leaving only four members present.

The Bylaws Committee reviewed the quorum issue and recommended that the Bylaws be amend the Bylaws to change the quorum of EC from 5 to 4 and forward to the GA for approval.

It was MOVED (Dixon), SECONDED (Dale) and UNANIMOUSLY APPROVED.

5.4 **Transportation & Communication Committee (TCC) Report**

5.4.1 **Regional ITS Architecture**

Councilmember Baldwin, Vice Chair, stated that the FHWA Rule and FTA Policy, 23 CFR 940.9 and 940.11, require that a region that is currently implementing ITS projects must develop a regional ITS architecture to guide their deployment by April 8, 2005.

The National ITS Architecture shall be used as a resource in developing the regional architecture. The regional ITS architecture shall be on a scale commensurate with ITS investment in the region.

The TCC recommends approving the Southern California Regional ITS Architecture.

It was MOVED (Baldwin), SECONDED (Brown) and UNANIMOUSLY APPROVED.

5.5 Energy & Environment Committee (EEC) Report

5.5.1 H.R. 18 (Baca) Southern California Groundwater Remediation Act

Councilmember Clark, Chair, reported that the EEC recommended that the Regional Council support H.R. 18 with amendments.

It was MOVED (Clark), SECONDED (Washburn) and UNANIMOUSLY APPROVED.

5.5.2 California Waste Conversion Technologies

It was MOVED (Clark), SECONDED (Washburn) and UNANIMOUSLY APPROVED.

5.6 Community & Human Development Committee (CEHD) Report

No report presented at this time.

5.7 Communication & Membership Subcommittee Report

The subcommittee selected Councilmember Glen Becerra as Chair, and Councilmember Harry Baldwin is Vice Chair.

It was announced that preparations for SCAG's 40th Anniversary and 2005 General Assembly continue. The 2005 General Assembly will take place Wednesday and Thursday, May 4th and 5th at the historic Los Angeles Athletic Club in downtown LA.

The theme is The Changing Faces of Southern California: 40 Years of Progress. Dee Dee Myers will be guest speaker at dinner. She was President Clinton's first White House Press Secretary, has worked with Senator Dianne Feinstein and Mayor Tom Bradley, and now appears on TV as a political commentator. Gov. Schwarzenegger and US Secretary of Transportation Norm Mineta have also been invited to speak at Wednesday's dinner.

EVERYONE MUST REGISTER IN ADVANCE!

Registration is available online. There is a \$50 fee for the reception and dinner that is waived for RC members, GA delegates, and sponsors.

Regarding the new Regional Champion Awards, Tony Valdez was nominated for the Media/Communications Award. Tony is a veteran broadcast journalist with KTTV Fox Channel 11. He has provided long standing regional reporting to his viewers including coverage of our State of the Region Report and SCAG's Compass program.

Staff distributed the new Legislative Reference Manual. Members will be able to utilize this handy tool whenever they travel to Sacramento and Washington DC.

6.0 INFORMATION ITEMS

6.1 Monthly Financial Report

Heather Copp, stated that SCAG has been able to achieve 191 debt free days in the first 243 days of the fiscal year. Year to date borrowings declined about 77% from \$13.3 million last year to \$3.0 million this year.

7.0 FUTURE AGENDA ITEMS

Councilmember Washburn requested that a discussion on strategies be scheduled as well as taking the lead in trying to get the Delegation to meet amongst themselves.

8.0 LEGAL COUNSEL REPORT

8.1 Closed Session

- Deanna Wetherbee-Distel et al. vs. Miguel Leon Martin et al.; Southern California Association of Governments; Riverside Transit Agency; Western Municipal Water District- Complaint for Wrongful Death; Case Number: RIC 417340
Conference with Legal Counsel re: pending litigation, pursuant to Cal. Gov. Code Section 54956.9(a)

There was no report.

- Morrison v. SCAG
Morrison v. Southern California Association of Governments et al. Superior Court, Los Angeles County, Case No. BC 312066
Conference with Legal Counsel re: pending litigation pursuant to Government Code section 54956.9(a)

A report was given by Counsel and direction was provided by the Regional Council.

- Havens v. SCAG
Havens v. Southern California Association of Governments,
Los Angeles County, Case No. BC 324931
Conference with Legal Counsel re: pending litigation
Pursuant to Government Code section 54956.9(a)

There was no report.

9.0 ANNOUNCEMENTS

There were no announcements.

10.0 ADJOURNMENT

The next meeting is scheduled for Thursday, May 5, 2005 at Los Angeles Athletic Club.

Mark Pisano, Executive Director

Governor's Housing Proposal

- Local Governments must each designate enough lands to provide a 20 year supply of land to meet housing needs
- Each local government to "take care of your own" –
- Population growth or employment growth-
- Whichever is larger

Local Government Responses

- Support goal, but a 20 year supply in general plan designations, 10 years in zoning, 5 years "right to build" (subject to design, fees and permits) is ONLY feasible WITH:
- Funding for Services, Infrastructure and neighborhood improvements, AND
- CEQA Streamlining, AND
- Accountable to regions –not the state
- Regions accountable to the state

Funding for Services and Infrastructure

- Mello – Roos or Tax Increment variation
- All private developments other than affordable housing participate in regional funding from increased value and paid out of financing of project
- Funds allocated to cities and counties to cover service and infrastructure costs
- Support housing developments and resource protections that follow regional and subregional plans

CEQA Reform/Conformity

- Use regional plans (already required to be updated every three years) for CEQA analysis of cumulative impacts of growth
- No analysis of regional traffic/air/growth issues in conforming general plans
- No CEQA for conforming housing projects
- EIR savings collected as regional fees to support communities building housing and preserving resources

Housing Plan Reform

- Cities and Counties submit lands planned, zoned and "right to build" to regions or subregions
- Regions certify that total meets regional take care of your own – like conformity
- Third parties can challenge regional findings or local general plans
- No HCD review/approval

Mutual Achievement of Goals

- More certainty for lands designated for development and resource protection creates support for
- Funding Infrastructure and Services needs which creates opportunities for
- Funding more affordable housing and more resources protection which is based upon
- Regional plans to reduce congestion and sprawl

REPORT

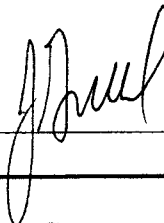
TO: Administration Committee
Regional Council

FROM: Heather Copp, CFO (213) 236-1804
Email: copp@scag.ca.gov

SUBJECT: Approval of Contracts Over \$25,000

DATE: April 13, 2005

EXECUTIVE DIRECTOR'S APPROVAL _____



RECOMMENDED ACTION: Approve Contracts

SUMMARY:

- **The following consultant contracts are recommended for approval:**

Champion Services Group	NTE	\$ 85,000
Fox and Sohagi, LLP	NTE	\$ 45,000

FISCAL IMPACT:

The Work Element is listed on the detail page for each contract. Included is the Work Element and category of funding, for example FHWA, FTA, indirect.

If a member believes or has a reason to believe that he or she has a financial interest in any of the firms listed on this Report, the member should consult with SCAG legal counsel.

CONSULTANT CONTRACTS

Consultants: Champion Services Group, Inc.

Scope: This training and development firm will be awarded a contract for up to three years to provide supervisory and management training for up to 75 employees, and organization development consulting expertise to executive management.

Contract Amount:	Total not to exceed	\$73,900
	Champion Services Group, Inc.	\$73,900

Contract Period: June 1, 2005 through June 30, 2008

Work Element:	05-830.SCGS90	\$10,000	Funding Sources: Indirect Overhead
	06-XXX.XXXX	\$25,000	Funding Sources: Indirect Overhead (subject to approval of SCAG's 05-06 Fiscal Year budget)
	07-XXX.XXXX	\$25,000	Funding Sources: Indirect Overhead (subject to approval of SCAG's 06-07 Fiscal Year budget)
	08-XXX.XXXX	\$13,900	Funding Sources: Indirect Overhead (subject to approval of SCAG's 07-08 Fiscal Year budget)

Request for Proposal: SCAG staff mailed postcards to 72 vendors on SCAG's bidders list to notify them of the release of Request for Qualifications (RFQ) No. 05-160. The RFQ was also posted on SCAG's website and advertised in the California State Contracts Register. The following seven proposals were received in response to the solicitation:

Aurora Total Recall (1 subcontractor)	\$98,475
Champion Services Group, Inc. (7 subcontractors)	\$73,900
CPS Human Resource Services (no subcontractors)	\$75,000
Excel Solutions Group, LLC. (no subcontractors)	\$62,820
Jerry Lew and Associates (2 subcontractors)	\$75,000
Learning Right Technologies (6 subcontractors)	\$49,254
Public Sector Excellence (no subcontractors)	\$24,550

Selection Process:

The Proposal Review Committee (PRC) evaluated all seven proposals in accordance with the criteria set forth in the RFQ, and the selection process was conducted in a manner consistent with all applicable Federal and State contracting regulations. Interviews were held with the top three of the seven offerors (Champion Services Group, Inc., Excel Solutions Group, LLC., and Jerry Lew and Associates) on Wednesday, April 6, 2005.

The PRC was comprised of the following individuals:

Debbie Dillon, HR Supervisor/Project Manager, SCAG

Izetta Birch, Human Resources Consultant

Holly Balderas, Senior Training and Development Specialist, Los Angeles Metropolitan Transportation Authority (METRO)

Basis for Selection:

All seven proposals were ranked based on proposal information, organization, content, and technical proposal/qualifications. Champion Services Group, Inc. had the best overall presentation, proposal, technical expertise, client list, qualifications, project team, and cost. The PRC believes that Champion Services Group, Inc. will provide the most flexibility, responsiveness and expertise at the least cost. Champion Services Group, Inc. received the highest overall score from the PRC. Champion Services Group, Inc. is also a Disadvantaged Business Enterprise.

CONSULTANT CONTRACT

Consultant: Fox & Sohagi, LLP

Scope: This law firm was retained by SCAG's Chief Counsel to provide advice with regard to California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) issues as they relate to Goods Movement. Since the initial retention for a maximum of \$25,000, the law firm has been requested to provide assistance to the Executive Director as he participates in the statewide CEQA Improvement Advisory Committee. In order to facilitate the additional work, it is recommended that SCAG's Chief Counsel be authorized to amend the contract for an additional \$20,000. The law firm, primarily through the participation of Margaret Sohagi, a well known expert in CEQA, and with limited assistance of Helene Smookler, will continue to provide legal advice and offer strategies with regard to CEQA and NEPA issues with particular emphasis on Goods Movement, and will assist as necessary in the CEQA Improvement Advisory Committee work, and if requested, drafting of documents, including legislation.

Contract Amount:	Total not to exceed	\$45,000
	Fox and Sohagi, LLP (prime)	\$45,000

Contract Period: February 8, 2005 through June 30, 2005

Work Element:	05-800.SCGS2	\$25,000	Funding Source: General Fund
	05-880.SCGS90	\$20,000	Funding Source: Indirect Overhead

Request for Proposal: Legal services are unique and do not require a Request for Proposal.

Basis for Selection: The firm was selected by SCAG's Chief Counsel and Executive Director based upon the unique and specialized experience of the firm in CEQA and NEPA matters. The firm's primary practice relates to representation of public agencies and has a substantial CEQA practice. SCAG's Chief Counsel also consulted with SCAG's General Counsel prior to entering into the original contract with this firm.

REPORT

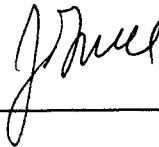
DATE: April 21, 2005

TO: Administration Committee
Regional Council

FROM: Mark Pisano
Executive Director

SUBJECT: Request to co-host an international conference on "Best Practices in Regional Planning" with the University of Southern California (USC).

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Approve

SUMMARY:

SCAG staff has been working with the University of Southern California (USC) regarding an invitational international conference on Best Practices in Regional Planning that would convene leaders and planning researchers from Southern California with those from the major macropolitical regions of Pacific Asia, including Beijing, Shanghai, Seoul, Tokyo and Osaka. Sponsorship of two representatives from Seoul will be provided, which will be funded through local interests other than SCAG funds, to reciprocate for their hosting 2 members of SCAG last October. The proposed action is to participate in and co-host this event with USC.

BACKGROUND:

SCAG has been involved in several meetings with the Vice Provost of International Programs and the Deans of USC's School of Policy, Planning and Development and School of Education to discuss a conference for the Fall of 2005. This conference will provide a forum through which the Pacific Asian and Southern Californian macropolitical regions can exchange ideas and experiences on their efforts to build regional cooperation, mitigate growth impacts, and establish themselves as competitive nodes in the global economy.

Last October, The Seoul Development Institute (SDI) sponsored the travel and attendance of SCAG's President and Executive Director at a conference in Seoul on "Planning Issues and Policy Measures for Sustainable Growth of Two Pacific Rim Metropolitan Areas: Seoul and Los Angeles." A reciprocal conference for this Fall has been in discussion, for which SCAG would sponsor the travel and attendance of two representatives from SDI to Los Angeles. Combining this event with the Best Practices in Regional Planning conference is the preferred strategy given its similar timing and focus. USC will provide most of the logistical arrangements and support for this event.

FISCAL IMPACT:

Funds for sponsorship of Seoul representatives from SDI will be raised from local business interests in the region. Other sponsorship will be raised from local Asian business interests. Staff time will be spent on research and report preparation. Work element: Regional Forecasting and Policy Analysis Staff: 06-055.SCGS1.

REPORT

DATE: May 5, 2005

TO: Regional Council

FROM: Rosemary Ayala, Lead Regional Planner
(213) 236-1927, ayala@scag.ca.gov

SUBJECT: Regional Transportation Improvement Program (RTIP) Expedited Project Selection Procedures

EXECUTIVE DIRECTOR'S APPROVAL:

RECOMMENDED ACTION: Approve the attached RTIP Expedited Project Selection Procedure.

BACKGROUND: The Southern California Association of Governments RTIP staff worked with the County Transportation Commissions and the Imperial Valley Association of Governments through the RTIP meetings and with the transit operators in developing RTIP Expedited Project Selection Procedures.

The expedited project selection procedures are permissible under Federal regulations and basically allow projects from the second and third year of the RTIP to move forward.

23 CFR 450.332 states:

"If the State or transit operator wishes to proceed with a project in the second or third year of the TIP, the specific project selection procedures stated in paragraphs (a) and (b) of this section must be used unless the MPO, State and transit operator jointly develop expedited project selection procedures to provide for the advancement of projects from the second or third year of the TIP".

These procedures will allow projects to move from the second or third year of the approved RTIP into the first year without an RTIP amendment. The programming of carryover Regional Surface Transportation Program (RSTP) and Congestion Mitigation Air Quality (CMAQ) funds is not allowed. The county transportation commissions and Imperial Valley Association of Governments programming limits are constrained by fiscal year apportionment for CMAQ and RSTP funds.

In addition, the procedures will allow the SCAG region to take advantage of additional obligational authority for RSTP or CMAQ and other federal funds that may become available on June 1 of each year. For example if another Metropolitan Planning Organization (MPO) in California is unable to obligate all of its RSTP or CMAQ funds during the fiscal year, and the SCAG region has projects programmed in the second and third year of the RTIP that can be delivered, funding could be secured and the projects advanced.

There are three basic steps to the procedure and are as follow:

- Step 1 County Transportation Commissions and Imperial Valley Association of Governments develops a listing of project to be advanced and submits a county TIP revision to SCAG.

REPORT

- Step 2 SCAG analyzes and approves the county TIP revision and updates the RTIP.
- Step 3 County Transportation Commissions and Imperial Valley Association of Governments
Work with Caltrans to obligated state/federal funds in accordance with revisions.

These procedures require Caltrans approval. In discussions with Caltrans staff they indicate that upon approval by the SCAG Regional Council they will promptly review and approve the procedures so that they are in place by June 1.

In conclusion, the RTIP Expedited Project Selection Procedures are a tool in which to advance and expeditiously implement projects in the SCAG region.

FISCAL IMPACT: No direct impacts to SCAG, significant benefit to the SCAG region in advancing project delivery and obligating federal funds.

Regional Transportation Improvement Program Expedited Project Selection Procedures

County Transportation Commissions and Expedited Project Selection Procedures

Under State law (AB 1246), the County Transportation Commissions (CTCs- Los Angeles County Metropolitan Transportation Authority, Orange County Transportation Authority, San Bernardino Associated Governments, Riverside County Transportation Commission, Ventura County Transportation Commission, and Imperial Valley Association of Governments) are responsible for developing the county transportation improvement programs for submittal to SCAG. SCAG in turn prepares the RTIP using the county TIPs.

SCAG publishes the RTIP guidelines at the beginning of each RTIP cycle and outlines all federal, state, and MPO requirements to facilitate the development of the county TIPs.

SCAG analyzes all of the county TIP projects for consistency with the Regional Transportation Plan (RTP) and for financial constraint. SCAG incorporates the eligible projects into the Regional Transportation Improvement Program (RTIP) for conformity analysis. Projects that are not consistent with the federal and MPO requirements are not incorporated into the RTIP.

Should conflicts arise, they are worked out with the CTCs, SCAG's Regional Council and the Regional Transportation Agencies Coalition (RTAC). If a project should fall out, then SCAG coordinates with the CTCs to replace it. The Transportation Conformity Working Group also serves as a mechanism for interagency consultation for TIP issues between staff representatives from SCAG, the CTCs, Caltrans, and federal and state agencies.

Project Programming

Once the CTCs and the Imperial Valley Association of Governments (IVAG) have programmed funds to projects, as required by state and federal statutes, projects are then included in the RTIP in accordance with the estimated project delivery schedules. The first three years of the RTIP are required to be financially constrained, and programming beyond this period is for planning purposes only.

- | | |
|--------|--|
| Step 1 | The CTC's/IVAG have established that projects programmed in the first three years are priority projects for the region and are programmed according to estimated project delivery schedules at the time of the TIP submittal. SCAG incorporates the county TIPs into the Regional TIP as submitted by the CTCs/IVAG in accordance with the appropriate transportation conformity and RTP consistency requirements. |
| Step 2 | SCAG performs all required conformity and consistency analysis and public hearings on the RTIP and adopts the RTIP. |
| Step 3 | SCAG submits the RTIP to the Governor (Caltrans) for incorporation into the State's Federal TIP, and SCAG simultaneously submits the conformity findings to the FHWA, FTA, and EPA for the final conformity determination. |

Regional Transportation Improvement Program Expedited Project Selection Procedures

Expedited Project Selection Procedures

23CFR450.332

“If the State or transit operator wishes to proceed with a project in the second or third year of the TIP, the specific project selection procedures stated in paragraphs (a) and (b) of this section must be used unless the MPO, State and transit operator jointly develop expedited project selection procedures to provide for the advancement of projects from the second or third year of the TIP”

In order to address the above regulation the SCAG regions (SCAG, County Transportation Commissions (CTCs), Imperial Valley Association of Governments (IVAG) and transit operators) developed and agree to the following expedited project selection procedures.

Projects programmed within the first three years may be advanced to accommodate project schedules that have proceeded more rapidly than estimated. This advancement allows project sponsors the flexibility to deliver and obligate state and/or federal funds in a timely and efficient manner. Nevertheless, non-TCM projects can only advance ahead of TCM projects if they do not cause TCM projects to be delayed.

- Step 1 County Transportation Commissions and Imperial Valley Association of Governments develops a listing of project to be advanced and submits a county TIP revision to SCAG.
- Step 2 SCAG analyzes and approves the county TIP revision and updates the RTIP.
- Step 3 County Transportation Commissions and Imperial Valley Association of Governments Work with Caltrans to obligate state/federal funds in accordance with revisions.

REPORT

DATE: May 5, 2005

TO: Transportation and Communications Committee
Regional Council

FROM: Rosemary Ayala, Lead Regional Planner
(213) 236-1927, ayala@scag.ca.gov

SUBJECT: 2004 Regional Transportation Improvement Program (RTIP) Amendment
Approval Procedure

EXECUTIVE DIRECTOR'S APPROVAL: _____

RECOMMENDED ACTION: Approve the revised RTIP amendment approval procedure.

BACKGROUND: The Southern California Association of Governments (SCAG) Regional Council, in October 2004, approved the RTIP Amendment Approval Procedure, which is included in the 2004 Regional Transportation Improvement Program (RTIP) Guidelines. This procedure grants authority to the SCAG Executive Director to approve and transmit RTIP amendments to the state and federal agencies.

In recent discussions with the Federal Highway Administration they indicated that SCAG's current RTIP Amendment Approval Procedure does not state that the executive director has the authority to make the conformity determination. Therefore, the RTIP Amendment Approval Procedure language must be revised to specifically state that the SCAG Executive Director has the authority to make the conformity determination.

The language approved by the SCAG Regional Council with revisions reflected in bold/italics are as follow:

E. RTIP Amendment Approval Procedure - SCAG Executive Director Authority

The Regional Council **hereby** grants authority to SCAG's Executive Director to approve ***Regional Transportation Improvement Program (RTIP) amendments and associated conformity determination*** and **to** transmit to the state and federal agencies amendments to the most current/**ly** approved RTIP.

These amendments must meet the following criteria:

- changes that do not affect the regional ***emissions*** conformity analysis
- changes that do not affect the timely implementation of the Transportation Control Measures
- changes that do not adversely impact financial constraint
- changes that are consistent with the adopted Regional Transportation Plan

REPORT

All other amendments must be approved by the Regional Council.

The amendment process is a lengthy process. This revision will prevent the addition of two to three months to the existing process.

FISCAL IMPACT: No direct impacts to SCAG. *HC*

REPORT

DATE: April 18, 2005

TO: Regional Council

FROM: Naresh Amatya, Lead Regional Planner, Planning and Policy
213-236-1885; amatya@scag.ca.gov

RE: Preliminary Schedule for the next RTP Update

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Approve TCC recommendation to move forward with the proposed schedule for the next RTP Update.

SUMMARY:

Staff presented issues relative to the next RTP Update to Transportation and Communications Committee (TCC) at their last meeting on February 3, 2005. TCC directed staff to move forward with the triennial update process and to continue assessing and monitoring potential need for an amendment or an update and report back to TCC with specific recommendation in March. Accordingly, this item presented to TCC with specific recommendation at their March meeting.

Staff presented the proposed schedule for the next RTP Update that would accommodate an early update of the RTP, if needed, to ensure consistency and integrity of the current RTP in light of the proposed state budget and other funding inconsistencies that may arise prior to next plan update. Members of the TCC asked whether SCAG would be preparing an update or amendment, and staff indicated that adoption of the accelerated schedule would put SCAG in a position to produce either an RTP update or an amendment, and that this decision would be made in November. The committee also asked whether or not new projects (i.e. I-710) would be included in any RTP update or amendment. Staff indicated that if an early update or amendment were prepared, there would be ample opportunity to submit projects for inclusion in the RTP.

BACKGROUND:

The Regional Council adopted the 2004 Regional Transportation Plan (RTP) on April 1, 2004. Transportation Conformity on the 2004 RTP was approved by the federal agencies on June 7, 2004 for the South Coast Air Basin (SCAB), the Imperial County and Coachella Valley portions of Salton Sea Air Basin (SSAB), and the San Bernardino portion of the Mojave Desert Air Basin (MDAB). Conformity for the Ventura County portion of the South Central Coast Air Basin and the South Desert Modified 1-Hour

Ozone Area was approved on June 16, 2004. Both federal (Title 23, CFR Sec.450.322) and state (Government Code 65080(c)) law requires that the RTP be updated at least once every three years in federally designated non-attainment and maintenance areas for air quality such as our region. Accordingly, the current RTP must be updated and adopted by the Regional Council by no later than April of 2007.

Staff presented several issues relative to the next RTP Update at your last meeting on February 3, 2005. The basic question confronting us is whether or not we should entertain an early amendment or an update of the 2004 RTP in order to maintain integrity of the plan and be consistent with the new fiscal realities as they unfold. And, if we do move forward with an early amendment or an update, when should we do it? At your February meeting you directed staff to move forward with the triennial update process and to continue assessing and monitoring potential need for an amendment or an update and report back to TCC with specific recommendation in March.

Uncertainties associated with the fiscal issues raised by staff that may warrant early amendment or update of the RTP have not changed. Most of these issues are going to take about a year to fully play out. Deciding whether or not to entertain an amendment or an update at that point would be too late. Therefore, in order for us to position ourselves to accommodate an amendment or an early update, we need to gear up now with the update process assuming we will need to meet an early update schedule. In the event that early update becomes unnecessary or irrelevant, we would be in an enviable position of being able to spend more time in further refining the plan for adoption through the regular update schedule. The attached timeline for the proposed RTP update has been prepared based on this premise. The key milestones of the proposed schedule are:

- Complete updating goals, objectives, planing and technical assumptions, baseyear evaluation etc. by May 2005
- Complete development of No-project or Baseline growth by Aug 2005
- Establish Baseline performance conditions, needs assessment and baseline revenue forecast by Nov. 2005
- Develop alternative scenarios, including growth scenarios by Jan 2006. If an amendment or an update becomes unnecessary or irrelevant, continue the alternatives process through July 2005.
- Analyze/evaluate the alternatives by April 2006. If an amendment or an update becomes unnecessary or irrelevant, continue the alternatives evaluation process through Sept. 2005
- Release the Draft RTP/EIR in June 2006. If an amendment or an update becomes unnecessary or irrelevant, release the draft in Oct. 2006.
- Adopt RTP/EIR/Growth Forecast in Aug 2006. If an amendment or an update becomes unnecessary or irrelevant, adopt in April 2007.

Public outreach would occur throughout the process on a continuous and on-going basis. Compliance with coordination and consultation requirements pursuant to AB 1246 will be met by convening the Regional Transportation Agencies Coalition (RTAC) at least a

month prior to final adoption of the RTP in either scenario. Status reports on RTP development will also be presented to RTAC on a regular basis as needed and appropriate so as to avoid last minute surprises.

Staff recommendation is to move forward with the proposed RTP update schedule accommodating a potential interim plan amendment or an update.

FISCAL IMPACT:

No fiscal impact. The budget for this work is already included in the current Overall Work Program (OWP).

DRAFT SCHEDULE **RTP UPDATE AND RELATED REGIONAL PLANNING ACTIVITIES, 2005-2007**

ID	Task Name	Qtr 1, 2005	Qtr 2, 2005	Qtr 3, 2005	Qtr 4, 2005	Qtr 1, 2006	Qtr 2, 2006	Qtr 3, 2006	Qtr 4, 2006	Qtr 1, 2007	Qtr 2, 2007								
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
1																			
2	RTP/EIR																		
3	Goal, Objectives, Planning Assumptions, Baseyear evaluation																		
4	Develop No Project Growth Forecast																		
5	Establish Baseline Performance, Needs Assessment, Revenue Forecast																		
6	Develop Plan Alternatives, incl. Growth Scenarios																		
7	Analyze/Evaluate Alternatives & Select Preferred Alt.																		
8	Release Draft RTP & EIR																		
9	Adopt RTP/EIR/Growth Forecast																		
10	FHWA/FTA Approve RTP Conformity																		

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MEMO

DATE: May 5, 2005

TO: The Regional Council
The Community Economic and Human Development Committee
The Energy and Environment Committee
The Transportation and Communications Committee (TCC)

FROM: Charlotte Pienkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: pienkos@scag.ca.gov

SUBJECT: State and Federal Legislative Matrix

Since the April 7th meetings of the Regional Council and the policy committees, the State Legislature has accelerated its policy committee bill review since the conclusion of Spring Recess. Policy committees must report non-fiscal bills introduced in their house by tomorrow, May 6th. Fiscal committee review will take place thereafter, punctuated with the May 9th release of the Governor's Mid-Year Budget Revision, and must conclude by May 27th.

As of this writing on April 14th, SCAG is monitoring 266 state and federal bills. Of those generating the most interest are the Governor's GoCalifornia bills, the Assembly Democrats' transportation package (not yet introduced), and bills related to goods movement financing. At the federal level, the passage of TEA-LU occurred on March 10th. The Senate will take up SAFETEA in April, with a conference anticipated in May. Speculation has begun that another extension will be necessary to complete the negotiations, delaying the enactment of the reauthorization until June or July.

CP#107688v.2



SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS

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Private file: AirQuality

CA AB 32	AUTHOR: Pavley (D) TITLE: Greenhouse Gas Emissions: California Climate Registry FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 12/06/2004 LAST AMEND: 03/31/2005 DISPOSITION: Pending LOCATION: SENATE SUMMARY: Revises the functions and duties of the California Climate Action Registry. Requires the registry, in coordination with the California Environmental Protection Agency and the State Energy Resources Conservation and Development Commission, to adopt specified procedures and protocols monitoring, estimating, calculating, reporting and certifying greenhouse gas emission resulting from specified industrial sectors. STATUS: 04/11/2005 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. Subject: AirQuality
CA AB 184	AUTHOR: Cogdill (R) TITLE: Air Quality: Gross Polluting Vehicles FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/24/2005 LAST AMEND: 04/12/2005 DISPOSITION: Pending LOCATION: Assembly Transportation Committee SUMMARY: Expresses the intent of the Legislature to establish a pilot program to improve air quality by removing gross polluting vehicles from the roadways. STATUS: 04/12/2005 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 04/12/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION. Subject: AirQuality, Transport
CA AB 679	AUTHOR: Calderon (D) TITLE: Air Resources: Heavy-Duty Motor Vehicles: Diesel Fuel FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/17/2005 LAST AMEND: 03/31/2005 DISPOSITION: Pending COMMITTEE: Assembly Transportation Committee HEARING: 04/18/2005 1:30 pm SUMMARY: Permits the Air Resources Board to only claim the amount of quantifiable emissions reductions in its emissions inventory and state implementation plan for California-required diesel formulations that have been verified through a new, peer reviewed, scientific test program that measures differences in NOx and particulate emission between CARB diesel and the EPA's 2006 ultralow sulfur highway diesel fuel. Requires the test program to meet specified standards. Permits certain emission reductions. STATUS: 03/31/2005 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/31/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION. Subject: AirQuality, Transport
CA AB 825	AUTHOR: Levine (D) TITLE: Air Resources: Binational Committee FISCAL COMMITTEE: yes URGENCY CLAUSE: no

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INTRODUCED: 02/18/2005
LAST AMEND: 04/12/2005
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee
HEARING: 04/25/2005 1:30 pm
SUMMARY:

Create the Calexico-Mexicali Air Basin Committee and the San Diego-Tijuana Air Basin Committee consisting of specified members to work with the California-Baja California Regional Workgroup and San Diego-Tijuana Air Quality Task Force for the purposes of developing recommendations for the prevention and control of air pollution in the Calexico-Mexicali Air Basin and the San Diego-Tijuana Air Basin.

STATUS:
 04/12/2005 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
 04/12/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
Subject: AirQuality

CA AB 841

AUTHOR: Arambula (D)
TITLE: Air Quality: Particulate Monitoring
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
LAST AMEND: 04/06/2005
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Requires the State Air Resources Board to work to install sufficient and continuous air quality monitors in the western region of Fresno County in areas that are primarily low-income and underserved.

STATUS:
 04/12/2005 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
Subject: AirQuality

CA AB 888

AUTHOR: De La Torre (D)
TITLE: Air Pollution: South Coast Air Quality: Rail Yards
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/18/2005 1:30 pm
SUMMARY:

Relates to rail yard equipment emission in the South Coast Air Quality Management District. Authorizes the South Coast District to establish a rail yard equipment emission reduction program. Requires the State Air Resources Board to submit any regulations adopted by the south coast district to the federal Environmental Protection Agency for a waiver or authorization, unless the state board makes certain findings.

STATUS:
 03/31/2005 To ASSEMBLY Committee on TRANSPORTATION.
Subject: AirQuality

CA AB 1007

AUTHOR: Pavley (D)
TITLE: Air Quality: Alternative Fuels
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/25/2005 1:30 pm
SUMMARY:

Requires the Sate Air Resources Board to develop and adopt recommendations for a state plan to increase the use of alternative fuels. Permits the state board to adopt regulations that consider the need for the state to increase the use of alternative transportation fuels to reduce the state's

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dependency on petroleum fuels.

STATUS:

03/30/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

AirQuality

CA AB 1101

AUTHOR:

Oropeza (D)

TITLE:

Air Pollution: Diesel Magnet Sources

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/22/2005

LAST AMEND:

03/31/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Makes a facility that is a diesel magnet source subject to the Air Toxics Hot Spots Information and Assessment Act of 1987. Requires the State Air Resources Board to prepare and make available to the public a list of diesel magnet sources. Includes diesel magnet sources in the industrywide emission inventory requirement. Requires any facility for which an air quality district is preparing an industrywide emissions inventory or health risk assessment to provide to the district, certain information.

STATUS:

03/31/2005

From ASSEMBLY Committee on TRANSPORTATION with author's amendments.

03/31/2005

In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

Subject:

AirQuality

CA AB 1222

AUTHOR:

Jones (D)

TITLE:

Air Pollution: Locomotive Air Pollution Control

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/25/2005 1:30 pm

SUMMARY:

Establishes the High-Polluting Locomotive Program. Encourages voluntary testing, repair, maintenance, or replacement of high polluting locomotives by their owners or operators. Requires the state board to establish a remote sensing program to determine the levels of air contaminants. Permits the state to impose a fee.

STATUS:

03/31/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

AirQuality, Transport

CA AB 1231

AUTHOR:

Horton J (D)

TITLE:

Air Pollution

INTRODUCED:

02/22/2005

LAST AMEND:

04/13/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Natural Resources Committee

HEARING:

04/25/2005 1:30 pm

SUMMARY:

Relates to the South Coast Air Quality Management District board. Requires the South Coast District Board to adopt rules and regulations, not in conflict with state and federal laws, rules, and regulations.

STATUS:

04/13/2005

From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.

04/13/2005

In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

Subject:

AirQuality

CA AB 1269

AUTHOR:

Pavley (D)

TITLE:

Clean Air, Clean Water, and Coastal Protection

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

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COMMITTEE: Assembly Natural Resources Committee
HEARING: 04/18/2005 1:30 pm
SUMMARY:
 Enacts the Clean Air, Clean Water, Coastal Protection, and Parks Bond Act which would authorize issuance of bonds financing a air and water quality, coastal protection, and parks program. Requires voter approval.
STATUS:
 03/17/2005 To ASSEMBLY Committees on NATURAL RESOURCES and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
Subject: AirQuality, Revenue/Bond

CA AB 1365 **AUTHOR:** Ruskin (D)
TITLE: Greenhouse Gas Emission Levels
INTRODUCED: 02/22/2005
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee
HEARING: 04/25/2005 1:30 pm
SUMMARY:
 Amends existing law that requires the Governor to prepare a comprehensive State Environmental Goals and Policy Report including a statement of approved state environmental goals that are required to be consistent with state planning priorities. Includes as a state planning priority to provide for the reduction in greenhouse gas emissions.
STATUS:
 03/30/2005 To ASSEMBLY Committee on NATURAL RESOURCES.
Subject: AirQuality

CA AB 1430 **AUTHOR:** Goldberg (D)
TITLE: Air Contaminants
INTRODUCED: 02/22/2005
DISPOSITION: Pending
COMMITTEE: Assembly Environmental Safety and Toxic Materials Committee
HEARING: 04/26/2005 1:30 pm
SUMMARY:
 Prohibits market-based incentive programs from permitting emissions reductions credits to be used to perpetuate human exposure to air contaminants in communities within a district, or elevated risks associated with air contaminants, including, but not limited to, airborne toxins and particulate matter in low-income communities and communities with a significant minority population.
STATUS:
 03/31/2005 To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
Subject: AirQuality

CA SB 44 **AUTHOR:** Kehoe (D)
TITLE: General Plans: Air Quality Element
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/04/2005
LAST AMEND: 02/23/2005
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 04/18/2005 1:30 pm
SUMMARY:
 Requires the legislative body of each city and county, including those in the San Joaquin Valley Air Pollution Control District, to amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing elements.
STATUS:
 03/02/2005 From SENATE Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
Subject: AirQuality, LandUse

CA SB 109 **AUTHOR:** Ortiz (D)
TITLE: Air Pollution: Minor Violations: Stationary Sources

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INTRODUCED: 01/20/2005
DISPOSITION: Pending
COMMITTEE: Senate Public Safety Committee
HEARING: 04/26/2005 8:45 am
SUMMARY:

Extends, until January 1, 2012, the requirement that the State Air Resources Board and each air pollution control district adopt a regulation or a rule that classifies certain violations as minor. Repeals the provision precluding criminal prosecution following the recovery of civil penalties for the same offense, and repeals the requirement that a civil action be dismissed upon the filing of a criminal complaint for the same offense.

STATUS:

04/04/2005 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on PUBLIC SAFETY.

Subject: AirQuality

CA SB 250

AUTHOR: Campbell (R)
TITLE: Hydrogen Fuel
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
LAST AMEND: 03/29/2005
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 04/18/2005 1:30 pm
SUMMARY:

Adds hydrogen fuels to provisions of existing law for use in internal combustion engines and fuel cells in motor vehicles. Designates the State Fire Marshal as the lead agency for implementing issues pertaining to fire, life and safety for a hydrogen fueling network. Requires the First Marshal to establish building standards for hydrogen fueling stations and a statewide program of fire prevention training regarding fire, life and safety regulations and industry safety standards and practices.

STATUS:

03/29/2005 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.

03/29/2005 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

Subject: AirQuality, Energy, Transport

CA SB 459

AUTHOR: Romero (D)
TITLE: Air Pollution: South Coast District: Locomotives
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
LAST AMEND: 04/12/2005
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 04/18/2005 1:30 pm
SUMMARY:

Authorizes the South Coast Air Quality Management District to adopt a locomotive emission impact mitigation fee to be imposed on railroad companies that operate in whole or in part within the Counties of Los Angeles, Orange, Riverside, or San Bernardino, if specified requirements are met. Authorizes the district to expend revenues derived from the mitigation fee in a manner that directly reduces air contaminants or reduces the public health risks.

STATUS:

04/12/2005 From SENATE Committee on APPROPRIATIONS with author's amendments.

04/12/2005 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

Subject: AirQuality, Transport

CA SB 467

AUTHOR: Lowenthal (D)
TITLE: Carl Moyer Air Quality Standards Attainment Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005

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DISPOSITION: Pending
LOCATION: Senate Second Reading File
SUMMARY:

Requires the State Air Resources Board to revise the grant criteria and guidelines to incorporate projects in which an applicant turns in a non-road internal combustion engine vehicle or equipment that the applicant owns and which still has some useful life, coupled with the purchase of new electric equipment or a vehicle that is in a similar category or that can perform the same work.

STATUS:

04/04/2005 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass as amended to Committee on APPROPRIATIONS.

Subject: AirQuality

CA SB 475

AUTHOR: Runner (R)
TITLE: Air Pollution Stationary Sources: Emissions Reduction
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
LAST AMEND: 04/07/2005
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Eliminates the requirement that any offset of emissions of air contaminants by air pollution control districts and air quality management districts be approved by a resolution adopted by the governing boards of the affected districts. Eliminates the provision of existing law that permits any district governing board to delegate the approval function for an offset to its air pollution control officer.

STATUS:

04/07/2005 From SENATE Committee on RULES with author's amendments.
04/07/2005 In SENATE. Read second time and amended. Re-referred to Committee on RULES.

Subject: AirQuality

CA SB 757

AUTHOR: Kehoe (D)
TITLE: Petroleum Demand Reduction Act
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 04/13/2005
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 04/25/2005
SUMMARY:

Enacts the Petroleum Demand Reduction Act, which declares that it is the policy of the state that state agencies should take all cost-effective and technologically feasible actions needed to achieve a net zero increase in on-road petroleum consumption by 2010, and a significant reduction in petroleum demand and oil consumption by 2020. Declares that state agencies should take the state's petroleum reduction goals into account in adopting rules and regulations.

STATUS:

04/13/2005 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

Subject: AirQuality

CA SB 761

AUTHOR: Lowenthal (D)
TITLE: Air Resources: Marine Terminals
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY:

Requires each marine terminal in the state to operate in a manner that does not cause trucks to exceed a turn time, as defined, of 60 minutes while conducting business at a marine terminal, and eliminates specified exemptions for marine terminals meeting certain operational requirements. Requires each marine terminal to implement a scheduling or appointment system for trucks to enter the terminal.

STATUS:

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	04/05/2005	In SENATE Committee on TRANSPORTATION AND HOUSING: Failed passage.
	04/05/2005	In SENATE Committee on TRANSPORTATION AND HOUSING: Reconsideration granted.
	Subject:	AirQuality, Transport
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CA SB 764	AUTHOR:	Lowenthal (D)
	TITLE:	Air Resources: South Coast Air District: Ports
	INTRODUCED:	02/22/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Appropriations Committee
	HEARING:	04/18/2005 1:30 pm
	SUMMARY:	Requires the Port of Los Angeles and the Port of Long Beach to develop a baseline for air quality for their respective ports, in consultation with specified agencies. Requires the air quality baseline to be based on the level of emissions from specified sources. Requires the Port of Los Angeles and the Port of Long Beach to hold public hearings on the baseline data and discuss potential mitigation and control measures to reduce emissions from sources at the port.
	STATUS:	
	04/04/2005	From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
	Subject:	AirQuality, Transport
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CA SB 829	AUTHOR:	Murray (D)
	TITLE:	Air Quality: District Plans
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/22/2005
	LAST AMEND:	04/12/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Rules Committee
	SUMMARY:	Makes technical, nonsubstantive changes to the provision permitting air pollution control districts and air quality management districts to use an alternative emission reduction strategy.
	STATUS:	
	04/12/2005	From SENATE Committee on RULES with author's amendments.
	04/12/2005	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	Subject:	AirQuality
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CA SB 863	AUTHOR:	Florez (D)
	TITLE:	California Clean Air Bond Act
	INTRODUCED:	02/22/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Environmental Quality Committee
	HEARING:	04/25/2005
	SUMMARY:	Enacts the California Clean Air Bond Act, which authorizes the issuance of bonds for purposes of financing an air quality program. Requires the Secretary of State to submit the bond act to the voters at the November 2006 statewide general election.
	STATUS:	
	03/10/2005	To SENATE Committee on ENVIRONMENTAL QUALITY.
	Subject:	AirQuality, Revenue/Bond
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CA SB 975	AUTHOR:	Ashburn (R)
	TITLE:	Air Quality: Biodiesel Fuel
	INTRODUCED:	02/22/2005
	LAST AMEND:	03/30/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Environmental Quality Committee
	HEARING:	04/25/2005
	SUMMARY:	Provides that any public agency or regulated utility may use biodiesel or biodiesel blended fuel in a qualified retrofitted diesel engine certified by the Air Resources Board to comply with federal ambient air quality requirements, federal energy policy statutes, federal executive orders, and

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other federal energy security mandates.

STATUS:

03/30/2005

From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.

03/30/2005

In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

Subject:

AirQuality, Energy, Transport

CA SB 984

AUTHOR:

McClintock (R)

TITLE:

Greenhouse Gas Emissions Reductions: Powerplants

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Energy, Utilities and Communications Committee

HEARING:

04/19/2005 9:30 am

SUMMARY:

Requires the Energy Commission to establish an inventory of existing zero emission powerplants, including powerplants located in the state that produce electricity using wind, solar, or nuclear technology.

STATUS:

03/17/2005

To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.

Subject:

AirQuality, Energy

CA SB 1056

AUTHOR:

Florez (D)

TITLE:

Air Pollution: Districts: Permits

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Environmental Quality Committee

HEARING:

04/25/2005

SUMMARY:

Requires every air pollution control district board or air quality management district to establish, by regulation, a permit system, and would require the regulations to provide that a permit is valid only for a specified period.

STATUS:

03/17/2005

To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject:

AirQuality

US H 206

SPONSOR:

Serrano (D)

TITLE:

Internal Revenue Code of 1986

INTRODUCED:

01/04/2005

DISPOSITION:

Pending

LOCATION:

House Ways and Means Committee

SUMMARY:

Amends the Internal Revenue Code of 1986 to provide a business credit relating to the use of clean - fuel vehicles by businesses within areas designated as nonattainment areas under the Clean Air Act.

STATUS:

01/04/2005

INTRODUCED.

01/04/2005

To HOUSE Committee on WAYS AND MEANS.

US H 227

SPONSOR:

Sweeney (R)

TITLE:

Clean Air Act

INTRODUCED:

01/04/2005

DISPOSITION:

Pending

LOCATION:

House Energy and Commerce Committee

SUMMARY:

Reduces acid deposition under the Clean Air Act, and for other purposes.

STATUS:

01/04/2005

INTRODUCED.

01/04/2005

To HOUSE Committee on ENERGY AND COMMERCE.

US H 340

SPONSOR:

Moran Jr (D)

TITLE:

Clean Air Act

INTRODUCED:

01/25/2005

DISPOSITION:

Pending

LOCATION:

House Energy and Commerce Committee

000034

SUMMARY:

Amends the Clean Air Act to prohibit stationary sources located in ozone nonattainment areas from purchasing nitrogen oxide emission credits under the Environmental Protection Agency's nitrogen oxide trading program without the consent of the state in which such source is located.

STATUS:

01/25/2005 INTRODUCED.
01/25/2005 To HOUSE Committee on ENERGY AND COMMERCE.

US H 955

SPONSOR: Olver (D)
TITLE: Clean Air Act
INTRODUCED: 02/17/2005
DISPOSITION: Pending
LOCATION: House Energy and Commerce Committee
SUMMARY:

Amends the Clean Air Act to establish an inventory, registry, and information system of United States greenhouse gas emissions to inform the public and private sectors concerning, and encourage voluntary reductions in, greenhouse gas emissions, and for other purposes.

STATUS:

02/17/2005 INTRODUCED.
02/17/2005 To HOUSE Committee on ENERGY AND COMMERCE.

US H 1257

SPONSOR: Radanovich (R)
TITLE: Clean Air Act Amendment
INTRODUCED: 03/10/2005
DISPOSITION: Pending
LOCATION: House Energy and Commerce Committee
SUMMARY:

Amends the Clean Air Act to authorize critical use exemption amounts for methy bromide as identified by the United States State Department for the years 2006 and 2007, and for other purposes.

STATUS:

03/10/2005 INTRODUCED.
03/10/2005 To HOUSE Committee on ENERGY AND COMMERCE.

US S 131

SPONSOR: Inhofe (R)
TITLE: Air Pollution
INTRODUCED: 01/24/2005
DISPOSITION: Pending
LOCATION: Senate Environment and Public Works Committee
SUMMARY:

A bill to amend the Clean Air Act to reduce air pollution through expansion of cap and trade programs, to provide an alternative regulatory classification for units subject to the cap and trade program.

STATUS:

03/09/2005 In SENATE Committee on ENVIRONMENT AND PUBLIC WORKS:
Consideration and mark-up session held.

US S 150

SPONSOR: Jeffords (I)
TITLE: Powerplant Emissions
INTRODUCED: 01/25/2005
DISPOSITION: Pending
LOCATION: Senate Environment and Public Works Committee
SUMMARY:

A bill to amend the Clean Air Act to reduce emissions from electric powerplants, and for other purposes.

STATUS:

01/25/2005 INTRODUCED.
01/25/2005 In SENATE. Read second time.
01/25/2005 To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
Subject: Energy

US S 606

SPONSOR: Thune (R)
TITLE: Fuel
INTRODUCED: 03/11/2005
DISPOSITION: Pending

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LOCATION: Senate Environment and Public Works Committee**SUMMARY:**

A bill to amend the Clean Air Act to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence, and for other purposes.

STATUS:

03/16/2005

In SENATE Committee on ENVIRONMENT AND PUBLIC WORKS: Ordered to be reported as amended.

Private file: EconomicDevelopment

CA AB 261

AUTHOR:

Koretz (D)

TITLE:

Film California First Program

INTRODUCED:

02/08/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Expresses the intent of the Legislature to restore state funding to the Film California First Program, established within the Business, Transportation and Housing Agency.

STATUS:

02/08/2005

INTRODUCED.

Subject:

EconDevel

CA AB 285

AUTHOR:

Haynes (R)

TITLE:

Economic Development

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

02/09/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

State the intent of the Legislature to enact the necessary statutory changes to authorize the Business, Transportation and Housing Agency to encourage the investment of venture capital in economically depressed areas of the state.

STATUS:

02/09/2005

INTRODUCED.

Subject:

EconDevel

CA AB 402

AUTHOR:

Dymally (D)

TITLE:

Borders: Mexico

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

02/15/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Makes a technical, nonsubstantive change in existing law that establishes in state government an Office of California-Mexico Affairs, which includes the operations of the Commission of the Californias and the California Office of the Southwest Border Regional Conference.

STATUS:

02/15/2005

INTRODUCED.

Subject:

EconDevel

CA AB 559

AUTHOR:

Emmerson (R)

TITLE:

Redevelopment: Funds

INTRODUCED:

02/16/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Makes technical, nonsubstantive changes in the provision that authorizes a redevelopment agency to pledge its tax increment revenues for the payment on loans, advances or indebtedness.

STATUS:

02/16/2005

INTRODUCED.

Subject:

EconDevel

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CA AB 623	AUTHOR: Gordon (D) TITLE: Redevelopment: Los Angeles Air Force Base INTRODUCED: 02/17/2005 DISPOSITION: Pending LOCATION: Assembly Local Government Committee SUMMARY: Authorizes the legislative bodies of communities located in Los Angeles County to adopt ordinances to expend their tax-increment moneys outside of their territorial jurisdiction to implement the Los Angeles Air Force Base Retention Program through the formation of a separate joint powers entity, as specified. STATUS: 03/17/2005 To ASSEMBLY Committee on LOCAL GOVERNMENT. Subject: EconDevel
CA AB 732	AUTHOR: Leslie (R) TITLE: Economic Development: Neighborhoods INTRODUCED: 02/17/2005 DISPOSITION: Pending LOCATION: Assembly Jobs, Economic Development and The Economy Committee SUMMARY: Enacts the Neighborhood Initiative that would require the Governor to designate an agency that would designate, and annually recertify, 25 renewal communities within the state, subject to specified criteria, to be linked with available federal funding, public or private resources, and specified state resources. STATUS: 03/30/2005 To ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY. Subject: EconDevel
CA AB 1395	AUTHOR: Nunez (D) TITLE: California-Mexico Relations INTRODUCED: 02/22/2005 DISPOSITION: Pending COMMITTEE: Assembly Jobs, Economic Development and The Economy Committee HEARING: 04/19/2005 9:00 am SUMMARY: Requires the Secretary of Business, Transportation and Housing to coordinate an interagency California Mexico Relations Ten year Plan to be submitted to the Governor and the Legislature no later than July 1, 2006. STATUS: 03/14/2005 To ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY. Subject: EconDevel
CA AB 1562	AUTHOR: Assembly Jobs, Economic Development and The Economy Committee TITLE: International Trade INTRODUCED: 02/22/2005 DISPOSITION: Pending COMMITTEE: Assembly Jobs, Economic Development and The Economy Committee HEARING: 04/19/2005 9:00 am SUMMARY: Requires the Business, Transportation and Housing Agency to be responsible for coordinating and conducting international trade and investment programs and activities in the state. Requires the secretary, upon the direction of the Governor, to establish a California Office of Global Trade and Investment in the agency, and sets forth the duties of the office in carrying out the agency's responsibilities with respect to international trade and investment in the state. STATUS: 03/17/2005 To ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY. Subject: EconDevel, Transport
CA SB 6	AUTHOR: Ducheny (D) TITLE: Enterprise Zones: Designation Period FISCAL COMMITTEE: yes

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URGENCY CLAUSE: yes
INTRODUCED: 12/06/2004
LAST AMEND: 03/07/2005
DISPOSITION: Pending
COMMITTEE: Senate Revenue and Taxation Committee
HEARING: 04/27/2005 1:30 pm
SUMMARY:

Relates to the Enterprise Zone Act designations by the Department of Housing and Community Development. Specifies that the designation period of any enterprise zone may total 20 years, subject to certain conditions.

STATUS:
 03/15/2005 From SENATE Committee on TRANSPORTATION AND HOUSING: Do
 pass to Committee on REVENUE AND TAXATION.
Subject: EconDevel

CA SB 58 **AUTHOR:** Murray (D)
TITLE: Economic Development: Motion Picture Production
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/12/2005
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:
 Expresses the intent of the Legislature to discourage the practice of producing and filming motion pictures outside the state.
STATUS:
 01/27/2005 To SENATE Committee on RULES.
Subject: EconDevel

CA SB 254 **AUTHOR:** Torlakson (D)
TITLE: Economic Development
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
LAST AMEND: 04/12/2005
DISPOSITION: Pending
LOCATION: Senate Revenue and Taxation Committee
SUMMARY:
 Authorizes the Department of Housing and Community Development to charge a fee in connection with the costs of administering provisions relating to the targeted tax area program and the Local Agency Military Base Recovery Act, and requires the department to also assess an enterprise zone, a manufacturing enhancement area, a targeted tax area, and a local agency military base recovery area (LAMBRA) the same fee of not more than \$10. Requires the development of tax certificates.
STATUS:
 04/12/2005 In SENATE. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.
Subject: EconDevel

CA SB 334 **AUTHOR:** Murray (D)
TITLE: Business Climate in California
INTRODUCED: 02/16/2005
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:
 Expresses the Legislature's intent to improve the business climate in this state.
STATUS:
 02/24/2005 To SENATE Committee on RULES.
Subject: EconDevel

CA SB 992 **AUTHOR:** Ashburn (R)
TITLE: Economic Development: Military Bases
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: Senate Rules Committee

000038

SUMMARY:

Makes a technical, nonsubstantive change to the Local Agency Military Base Recovery Area Act. Authorizes local agencies to propose to the Department of Housing and Community Development specific geographic areas to receive regulatory, tax and other governmental program incentives to offset federal military base closures by being designated local agency military base recovery areas.

STATUS:

03/17/2005

To SENATE Committee on RULES.

Subject:

EconDevel

US H 145

SPONSOR:

McHugh (R)

TITLE:

Economic Grant Program

INTRODUCED:

01/04/2005

DISPOSITION:

Pending

LOCATION:

Multiple Committees

SUMMARY:

Establishes a grant program to support cluster-based economic development efforts.

STATUS:

01/04/2005

INTRODUCED.

01/04/2005

To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

01/04/2005

Additionally referred to HOUSE Committee on FINANCIAL SERVICES.

US H 614

SPONSOR:

McIntyre (D)

TITLE:

Free Trade Agreement

INTRODUCED:

02/08/2005

DISPOSITION:

Pending

LOCATION:

Multiple Committees

SUMMARY:

To amend the Internal Revenue Code of 1986 to provide tax incentives and job training grants for communities affected by the migration of businesses and jobs to Canada or Mexico as a result of the North American Free Trade Agreement.

STATUS:

02/08/2005

INTRODUCED.

02/08/2005

To HOUSE Committee on WAYS AND MEANS.

02/08/2005

Additionally referred to HOUSE Committee on EDUCATION AND THE WORKFORCE.

US H 1349

SPONSOR:

Oberstar (DFL)

TITLE:

Economic Development

INTRODUCED:

03/16/2005

DISPOSITION:

Pending

LOCATION:

Multiple Committees

SUMMARY:

To amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely distressed regions in the Nation.

STATUS:

03/16/2005

INTRODUCED.

03/16/2005

To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

03/16/2005

Additionally referred to HOUSE Committee on FINANCIAL SERVICES.

NOTES:

related

Private file: Energy

CA AB 200

AUTHOR:

Leslie (R)

TITLE:

Renewable Energy Resources: Portfolio Standard Program

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

01/31/2005

DISPOSITION:

Pending

LOCATION:

SENATE

SUMMARY:

Relates to the California Renewables Portfolio Standard Program. Adopts certain modifications to the renewables portfolio standard program that are applicable only to an electrical corporation with 60,000 or fewer customer accounts in the state that serves retail end-use customers outside California.

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STATUS: 04/11/2005 Subject:		In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. Energy
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CA AB 380	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Nunez (D) Electrical Restructuring: Resource Adequacy yes no 02/11/2005 04/12/2005 Pending Assembly Utilities and Commerce Committee 04/18/2005 3:00 pm Requires the Public Utilities Commission, in consultation with the Independent System Operator, to establish resource adequacy requirements to ensure that adequate physical generating capacity, dedicated to serving all load requirements, is available to meet peak demand plus requisite planning and operating reserves. Requires that the cost of meeting resource adequacy requirements be fully recoverable from all customers taking service from an electrical corporation on a nonbypassable basis.
	STATUS: 04/12/2005 04/12/2005 Subject:	From ASSEMBLY Committee on UTILITIES AND COMMERCE with author's amendments. In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND COMMERCE. Energy
<hr/>		
CA AB 515	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Richman (R) State Water Project: Solar Photovoltaic Panels yes no 02/16/2005 04/06/2005 Pending Assembly Second Reading File Requires the Department of Water Resources to establish a program to authorize private entities to lease space above appropriate conveyance facilities of the State Water Project for the purposes of installing solar photovoltaic panels and generating electricity from those panels. Requires the department to evaluate proposals for solar panel installation. Authorizes the department to negotiate compensation for an agreement for the installation that means or exceeds the costs of the department.
	STATUS: 04/11/2005 Subject:	From ASSEMBLY Committee on UTILITIES AND COMMERCE: Do pass as amended to Committee on WATER, PARKS AND WILDLIFE. Energy
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CA AB 650	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Cogdill (R) Electrical Restructuring: Aggregation 02/17/2005 Pending Assembly Utilities and Commerce Committee Authorizes certain irrigation districts and municipal utility districts to act as community choice aggregators. Provides procedures for a city or county to opt out of a community choice aggregation program proposed by an irrigation district or a municipal utility district.
	STATUS: 04/04/2005 Subject:	In ASSEMBLY Committee on UTILITIES AND COMMERCE: Not heard. Energy
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CA AB 728	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION:	Negrete McLeod (D) Electricity: Biogas Digester Customer-Generators 02/17/2005 Pending Assembly Utilities and Commerce Committee

000040

SUMMARY:

Extends indefinitely the operation of the biogas customer-generator program, as well as references to the program being a pilot program. Authorizes a biogas digester electrical generating facility. Requires an electrical corporation to file a standard tariff providing for net energy metering for eligible biogas digester customer-generators.

STATUS:

03/03/2005

To ASSEMBLY Committee on UTILITIES AND COMMERCE.

Subject:

Energy

CA AB 1190

AUTHOR:

Canciamilla (D)

TITLE:

Energy: Agency Consolidation

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Assembly Utilities and Commerce Committee

SUMMARY:

Enacts the Energy Code. Establishes the Energy Agency under the administration of the Secretary of energy for the planning, development, and implementation of all major aspects of the stet energy policy to ensure an adequate, reasonably priced supply of electricity and natural gas. The secretary would be required to determine appropriate reserve levels needed to maintain the reliability and stability of the electrical transmission and distribution grid.

STATUS:

04/04/2005

In ASSEMBLY Committee on UTILITIES AND COMMERCE: Failed passage.

Subject:

Energy

CA AB 1332

AUTHOR:

Gordon (D)

TITLE:

Distributed Generation: Efficiency Standards

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/22/2005

LAST AMEND:

04/06/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Utilities and Commerce Committee

HEARING:

04/18/2005 3:00 pm

SUMMARY:

Requires the Energy Commission to prescribe, by regulation, standards and minimum levels of operating efficiency for distributed generation technologies based on a reasonable use pattern. Defines distributed generation. Requires the standards meet certain criteria. Requires the commission to periodically review the standards and adopt any revision that is necessary based upon the same criteria used in developing the standards.

STATUS:

04/06/2005

From ASSEMBLY Committee on UTILITIES AND COMMERCE with author's amendments.

04/06/2005

In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND COMMERCE.

Subject:

Energy

CA AB 1362

AUTHOR:

Levine (D)

TITLE:

Renewable Portfolio Standard Program

INTRODUCED:

02/22/2005

LAST AMEND:

04/11/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Utilities and Commerce Committee

HEARING:

04/18/2005 3:00 pm

SUMMARY:

Revises and recasts intent language in the Renewable Energy Resources Program so that the amount of electricity generated per year from renewable energy resources is increased to an amount that equals at least 20% of the total electricity generated for consumption in California by 2010; requires the Energy Commission to design and implement an accounting system to certify renewable energy credits produced by eligible renewable energy resources. Requires conditions to be met for credit trading.

STATUS:

04/11/2005

From ASSEMBLY Committee on UTILITIES AND COMMERCE with

000041

	04/11/2005	author's amendments. In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND COMMERCE.
	Subject:	Energy
CA AB 1383	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Pavley (D) Solar Energy: Low-Income Housing Developments yes no 02/22/2005 04/06/2005 Pending Assembly Utilities and Commerce Committee Establishes the Low-Income Housing Development Revolving Loan Program to subsidize the financing gap for distributed solar energy systems in low-income housing units. Creates the Low-Income Housing Development Revolving Loan Fund for the purpose of providing loans for program purposes. Requires the State Energy Resources Conservation and Development Commission to take various actions to establish the program including entering into a memorandum of agreement with a state agency to administer the program.
	STATUS: 04/13/2005	From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on UTILITIES AND COMMERCE.
	Subject:	Energy
CA AB 1547	AUTHOR: TITLE: INTRODUCED: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Levine (D) Energy: Solar Generation of Electricity 02/22/2005 Pending Assembly Utilities and Commerce Committee 04/18/2005 3:00 pm Enacts the Solar Energy Peak Procurement Act. Excepts moneys expended through the Emerging Renewable Resources Account from the requirement that the Energy Commission prepare an investment plan on or before March 31, 2006. Authorizes the commission to advance moneys to the Emerging Renewable Resources Account and to expend those moneys without further legislative action, subject to certain existing repayment provisions.
	STATUS: 03/14/2005	To ASSEMBLY Committees on UTILITIES AND COMMERCE and NATURAL RESOURCES.
	Subject:	Energy
CA AB 1555	AUTHOR: TITLE: INTRODUCED: LAST AMEND: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	La Malfa (R) California Renewables Portfolio Standard Program 02/22/2005 03/31/2005 Pending Assembly Utilities and Commerce Committee 04/18/2005 3:00 pm Defines eligible renewable energy resource to include the electricity generated by a hydroelectric generation facility procured or owned by a retail seller or local publicly owned electric utility, as of January 1, 2003, under the California Renewable Portfolio Standard Program.
	STATUS: 04/04/2005	In ASSEMBLY Committee on UTILITIES AND COMMERCE: Not heard.
	Subject:	Energy
CA AB 1576	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: COMMITTEE:	Nunez (D) California Alternative Energy Authority yes no 02/22/2005 04/12/2005 Pending Assembly Utilities and Commerce Committee

000042

HEARING: 04/18/2005 3:00 pm**SUMMARY:**

Includes in the definition of "alternative sources of energy," for purposes of the Alternative Energy and Advanced Transportation Financing Authority Act, the use of electricity from an existing electrical generating facility repowered for increased efficiency.

STATUS:

04/12/2005

From ASSEMBLY Committee on UTILITIES AND COMMERCE with author's amendments.

04/12/2005

In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND COMMERCE.

Subject:

Energy

CA AB 1585

AUTHOR:

Blakeslee (R)

TITLE:

Renewable Energy Resources: California Renewables

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Utilities and Commerce Committee

HEARING:

04/18/2005 3:00 pm

SUMMARY:

Declares the intent of the Legislature to increase the amount of electricity generated per year from renewable sources, so that it equals 20% of the total electricity sold to retail customers in California per year by the year 2010.

STATUS:

03/17/2005

To ASSEMBLY Committees on UTILITIES AND COMMERCE and NATURAL RESOURCES.

Subject:

Energy

CA AB 1632

AUTHOR:

Blakeslee (R)

TITLE:

Energy Resources

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Declares the intent of the Legislature to enact legislation relating to thermal power plants.

STATUS:

02/22/2005

INTRODUCED.

Subject:

Energy

CA AB 1704

AUTHOR:

Richman (R)

TITLE:

Electricity: Electrical Restructuring

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Utilities and Commerce Committee

HEARING:

04/18/2005 3:00 pm

SUMMARY:

Requires the Public Utilities Commission to adopt rules meeting specified requirements, to transition to a core/noncore electrical market structure. Requires that the procurement plan approved by the Commission enable the electrical corporation to fulfill its obligation to serve its core customers and core-elect customers, at just and reasonable rates, while minimizing the risk of stranded electricity procurement costs.

STATUS:

03/30/2005

To ASSEMBLY Committee on UTILITIES AND COMMERCE.

Subject:

Energy

CA AB 1736

AUTHOR:

Assembly Utilities and Commerce Committee

TITLE:

Renewable Energy: Portfolio Standard Program

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

02/24/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Natural Resources Committee

HEARING:

04/25/2005 1:30 pm

SUMMARY:

000043

Revises the definition of "eligible renewable energy resource" under the California Renewables Portfolio Standard Program.

STATUS:

04/11/2005

From ASSEMBLY Committee on UTILITIES AND COMMERCE: Do pass to Committee on NATURAL RESOURCES.

Subject:

Energy

CA SB 1

AUTHOR:

Murray (D)

TITLE:

Energy: Renewable Energy Resources: Solar Roofs

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

12/06/2004

LAST AMEND:

02/28/2005

DISPOSITION:

Pending

LOCATION:

Senate Energy, Utilities and Communications Committee

SUMMARY:

Establishes the Million Solar Roofs Initiative with the goal of establishing a million solar energy systems on new and existing residential and commercial customer sites and establishing a self-sufficient solar industry in 10 years. Requires all local publicly owned electric utilities to establish a solar roofs initiative. Requires the Public Utilities Commission to order electrical corporations to expand the availability of net energy metering until it exceeds 0.5% of total electricity sales.

STATUS:

02/28/2005

From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS with author's amendments.

02/28/2005

In SENATE. Read second time and amended. Re-referred to Committee on ENERGY, UTILITIES AND COMMUNICATIONS.

Subject:

Environment

CA SB 107

AUTHOR:

Simitian (D)

TITLE:

Renewable Energy

INTRODUCED:

01/20/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Energy, Utilities and Communications Committee

HEARING:

04/19/2005 9:30 am

SUMMARY:

Revises and recasts language so that the amount of electricity generated per year from renewable energy resources is increased to an amount that equals at least 20% of the total electricity sold to retail customers per year by December 31, 2010. Requires the Energy Commission to establish a renewable energy credit trading program and to develop tracking, accounting, verification, and enforcement mechanisms for the program.

STATUS:

02/10/2005

To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.

Subject:

Energy

CA SB 309

AUTHOR:

Torlakson (D)

TITLE:

Energy Resources: Petroleum Infrastructure Projects

INTRODUCED:

02/16/2005

DISPOSITION:

Pending

LOCATION:

Senate Rules Committee

SUMMARY:

Makes legislative findings and declarations related to the need to improve reliability and efficiency and increase energy production capacity in the state to meet the demand for cleaner burning transportation fuels and declare the intent the legislature to amend the Warren-Alquist State Energy Resources Conservation and Development Act.

STATUS:

02/24/2005

To SENATE Committee on RULES.

Subject:

Energy

CA SB 426

AUTHOR:

Simitian (D)

TITLE:

Alternative Energy & Transportation Financing

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/17/2005

LAST AMEND:

04/13/2005

DISPOSITION:

Pending

000044

COMMITTEE: Senate Energy, Utilities and Communications Committee
HEARING: 04/19/2005 9:30 am
SUMMARY:
 Requires the emergency regulations adopted by the California Alternative Energy and Advanced Transportation Financing Authority for the renewable energy program be repealed 190 days after their effective date unless specified conditions are met.
STATUS:
 04/13/2005 From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS with author's amendments.
 04/13/2005 In SENATE. Read second time and amended. Re-referred to Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy, Transport

CA SB 431 **AUTHOR:** Battin (R)
TITLE: Electricity: Repowering of Facilities
INTRODUCED: 02/17/2005
LAST AMEND: 04/11/2005
DISPOSITION: Pending
COMMITTEE: Senate Energy, Utilities and Communications Committee
HEARING: 04/19/2005 9:30 am
SUMMARY:
 Requires the Public Utilities Commission to develop and implement a program to foster the repowering of existing facilities for the generation of electricity from renewable energy resources that imposes specified requirements on electrical corporations in connection with their contractual relations with owners of those facilities.
STATUS:
 04/11/2005 From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS with author's amendments.
 04/11/2005 In SENATE. Read second time and amended. Re-referred to Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy

CA SB 641 **AUTHOR:** Campbell (R)
TITLE: Electricity: Electrical Restructuring
INTRODUCED: 02/22/2005
DISPOSITION: Pending
COMMITTEE: Senate Energy, Utilities and Communications Committee
HEARING: 04/19/2005 9:30 am
SUMMARY:
 Requires that the Public Utilities Commission reestablish the right of end-use customers to enter into direct transactions. Provides that the right of end-use customers to enter into direct transactions is to be pursuant to a core/non-core structure, to be defined by the commission.
STATUS:
 03/03/2005 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy

CA SB 669 **AUTHOR:** Battin (R)
TITLE: Electricity: Cogeneration
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:
 Declares that it is the policy of the state to encourage private capital investment in customer generation to increase the state's energy supply, to provide tools to customers to manage their energy costs, and to reduce the need for distribution and transmission investments.
STATUS:
 03/10/2005 To SENATE Committee on RULES.
Subject: Energy

CA SB 957 **AUTHOR:** Escutia (D)
TITLE: Generation Facilities
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

000045

Makes technical, nonsubstantive changes to electrical restructuring. Requires the Public Utilities Commission to continue to regulate the facilities for the generation of electricity owned by any public utility before January 1, 1997, that are subject to commission regulation until the owner of those facilities has applied to the commission to dispose of those facilities and has been authorized by the commission to undertake that disposal.

STATUS:

03/17/2005

To SENATE Committee on RULES.

Subject:

Energy

CA SB 1048

AUTHOR:

Machado (D)

TITLE:

Electrical Restructuring: Distributed Energy Resources

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Energy, Utilities and Communications Committee

HEARING:

04/19/2005 9:30 am

SUMMARY:

Changes the criteria for distributed energy resources to include electric generation technology that commences initial operation between May 1, 2001, and December 31, 2010, and has 40 megawatts or smaller in aggregate capacity. Modifies the definition of "ultraclean and low-emission distributed generation" as an electric generation technology that produces zero emissions during operation or that produces emissions that are equal to or less than the limits established by the State Air Resources Board.

STATUS:

03/17/2005

To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.

Subject:

AirQuality, Energy

US H 36

SPONSOR:

King S (R)

TITLE:

Internal Revenue Code Of 1986

INTRODUCED:

01/04/2005

DISPOSITION:

Pending

LOCATION:

House Ways and Means Committee

SUMMARY:

Amends the Internal Revenue Code of 1986 to provide for a small agri - biodiesel producer credit and to improve the small ethanol producer credit.

STATUS:

01/04/2005

INTRODUCED.

01/04/2005

To HOUSE Committee on WAYS AND MEANS.

US H 423

SPONSOR:

Terry (R)

TITLE:

Advanced Power System Technology Incentives Program

INTRODUCED:

01/26/2005

DISPOSITION:

Pending

LOCATION:

House Energy and Commerce Committee

SUMMARY:

To authorize the Secretary of Energy to establish an Advanced Power System Technology Incentives Program to fund the development and deployment of new advanced technologies such as advanced fuel cells, turbines, or hybrid power systems or power storage systems to generate or store electric energy, and for other purposes.

STATUS:

01/26/2005

INTRODUCED.

01/26/2005

To HOUSE Committee on ENERGY AND COMMERCE.

US H 622

SPONSOR:

Bono (R)

TITLE:

Renewable Energy Production Incentive Program

INTRODUCED:

02/08/2005

DISPOSITION:

Pending

LOCATION:

House Energy and Commerce Committee

SUMMARY:

To reauthorize and revise the Renewable Energy Production Incentive program, and for other purposes.

STATUS:

02/08/2005

INTRODUCED.

02/08/2005

To HOUSE Committee on ENERGY AND COMMERCE.

US H 737

SPONSOR:

Woolsey (D)

000046

TITLE: Energy
INTRODUCED: 02/09/2005
DISPOSITION: Pending
LOCATION: House Science Committee
SUMMARY:

To establish an energy program for the United States that unlocks the potential of renewable energy and energy efficiency, and for other purposes.

STATUS:
 02/09/2005 INTRODUCED.
 02/09/2005 To HOUSE Committee on SCIENCE.

US S 326

SPONSOR: Smith (R)
TITLE: Renewable Energy Production Incentive Program
INTRODUCED: 02/09/2005
DISPOSITION: Pending
LOCATION: Senate Energy and Natural Resources Committee
SUMMARY:

A bill to reauthorize and revise the Renewable Energy Production Incentive program, and for other purposes.

STATUS:
 02/09/2005 INTRODUCED.
 02/09/2005 In SENATE. Read second time.
 02/09/2005 To SENATE Committee on ENERGY AND NATURAL RESOURCES.

Private file: Environment

CA AB 486

AUTHOR: Leslie (R)
TITLE: Urban Open Space and Recreation
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/16/2005
LAST AMEND: 04/04/2005
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Provides that 12% of the moneys for the acquisition or development of recreational lands and facilities, or for innovative recreation programs, under the Urban Open-Space and Recreation Program shall also be available to counties for those projects. Makes large counties and regional park districts that constitute heavily urbanized areas ineligible for these funds.

STATUS:
 04/04/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
Subject: Environment

CA AB 597

AUTHOR: Montanez (D)
TITLE: Response Actions: Brownfield Sites
INTRODUCED: 02/17/2005
DISPOSITION: Pending
COMMITTEE: Assembly Environmental Safety and Toxic Materials Committee
HEARING: 04/26/2005 1:30 pm
SUMMARY:

Revises the public participation procedures under the Land Reuse and Revitalization Act of 2004 that are required to be included in the response plan, including requiring the agency to notify all other appropriate governmental entities and local agencies that is not party to the response plan regarding the proposed response action. Requires the regional board to provide reasonable public notice in English and other languages commonly spoken in the area for public review and comment.

STATUS:
 03/03/2005 To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
Subject: Environment

CA SB 153

AUTHOR: Chesbro (D)
TITLE: Clean Water, Clean Air, and Coastal Protection Act
INTRODUCED: 02/08/2005

000047

LAST AMEND: 04/04/2005
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 04/18/2005 1:30 pm
SUMMARY:

Enacts the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006. Authorizes the issuance of bonds for the purpose of financing a program for the acquisition, development, and preservation of park, recreational, water, coastal, agricultural land, air, cultural, and historical resources.

STATUS:
 04/04/2005 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
Subject: AirQuality, Environment, Water

US H 444 **SPONSOR:** Issa (R)
TITLE: High Occupancy Vehicles
INTRODUCED: 02/01/2005
DISPOSITION: Pending
LOCATION: House Transportation & Infrastructure Committee
SUMMARY:
 To amend title 23, United States Code, relating to the use of high occupancy vehicle lanes by hybrid vehicles.
STATUS:
 02/01/2005 INTRODUCED.
 02/01/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

US S 553 **SPONSOR:** Feinstein (D)
TITLE: Low Emission and Hybrid Vehicles
INTRODUCED: 03/08/2005
DISPOSITION: Pending
LOCATION: Senate Environment and Public Works Committee
SUMMARY:
 A bill to amend title 23, United States Code, to provide for HOV - lane exemptions for low - emission and hybrid vehicles.
STATUS:
 03/08/2005 INTRODUCED.
 03/08/2005 In SENATE. Read second time.
 03/08/2005 To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

Private file: Housing

CA AB 14 **AUTHOR:** Harman (R)
TITLE: Common Interest Developments: Conversions
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 12/06/2004
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 04/20/2005 1:30 pm
SUMMARY:
 Requires that a document be recorded certifying the consent of the city or county to a conversion of an existing property into a common interest development of less than 5 units as part of the creation of a development. Prohibits an assessor from taking action on, or assigning parcel numbers for, a common interest development, without receiving a document certifying the consent of the local government.
STATUS:
 03/30/2005 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on LOCAL GOVERNMENT.
Subject: Housing

CA AB 63 **AUTHOR:** Strickland (R)
TITLE: Elderly and Disabled Home Improvement Loan Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/09/2004

000048

DISPOSITION: Pending
LOCATION: Assembly Housing and Community Development Committee
SUMMARY:
 Establishes within the Department of Housing and Community Development the Elderly and Disabled Persons' Revolving Home Improvement Loan Program to provide grants to local public agencies or nonprofit corporations, or to provide no-interest home improvement loans to qualified low- and moderate-income elderly and disabled individuals to assist them with daily activities and prevent injury and to allow them to remain safely in their own homes.
STATUS:
 01/06/2005 To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and AGING & LONG-TERM CARE.
Subject: Housing

CA AB 350 **AUTHOR:** Matthews (D)
TITLE: Jobs-Housing Opportunity Zones
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/10/2005
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:
 Authorizes counties and cities to create infrastructure financing districts in jobs-housing opportunity zones for the purpose of adopting an infrastructure financing plan to finance public capital facilities for the purpose of mitigating current and future imbalances of jobs and housing in the Counties of Alameda, Contra Costa, Santa Clara, San Joaquin, and Stanislaus. Requires approval of the district by the district's landowners or voters and of the bonds to be issued by the district.
STATUS:
 04/06/2005 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
Subject: Housing

CA AB 408 **AUTHOR:** Tran (R)
TITLE: Housing: Financial Discrimination
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
DISPOSITION: Pending
COMMITTEE: Assembly Banking and Finance Committee
HEARING: 04/18/2005 4:00 pm
SUMMARY:
 Repeals existing law that requires the Secretary of Business, Transportation and Housing to monitor and investigate the lending patterns and practices of financial institutions for compliance with the prohibition against discrimination in the availability of, or in the provision of, financial assistance for the purpose of purchasing, construction, rehabilitation, improving, or refinancing housing accommodations.
STATUS:
 03/14/2005 To ASSEMBLY Committees on BANKING AND FINANCE and JUDICIARY.
Subject: Housing

CA AB 549 **AUTHOR:** Salinas (D)
TITLE: Affordable Housing
INTRODUCED: 02/16/2005
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY:
 Establishes a pilot program as an alternative means of determining whether a housing element substantially complies with affordable housing provisions by establishing an affordable housing requirement if specified conditions are met by a city or county. Requires a city and county that adopts an alternative production-based certification of its housing element to submit a certification of compliance within 10 days of the adoption of the final draft.
STATUS:
 03/03/2005 To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.
Subject: Housing

000049

CA AB 619	AUTHOR: Leslie (R) TITLE: Common Interest Developments: Assessments INTRODUCED: 02/17/2005 LAST AMEND: 04/07/2005 DISPOSITION: Pending COMMITTEE: Assembly Judiciary Committee HEARING: 04/26/2005 9:00 am SUMMARY: Gives an owner, for liens records on or after a specified date, the right to require a meeting with the board of directors of the association to dispute the debt. Requires the board to meet with the owner. Requires the notice of delinquent assessment to include a payment plan request form for the owner to request a payment plan. Requires the association to provide the owner with the standards for payment plans and to offer a payment plan. Requires a default notice to be served according to certain methods. STATUS: 04/07/2005 From ASSEMBLY Committee on JUDICIARY with author's amendments. 04/07/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY. Subject: Housing
CA AB 782	AUTHOR: Mullin (D) TITLE: Housing FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 02/18/2005 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Makes legislative findings and declarations regarding the need to make more housing available. STATUS: 02/18/2005 INTRODUCED. Subject: Housing
CA AB 890	AUTHOR: Cogdill (R) TITLE: Housing FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 02/18/2005 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: States legislative findings and declarations regarding the lack, supply, and cost of housing. STATUS: 02/18/2005 INTRODUCED. Subject: Housing
CA AB 1203	AUTHOR: Mullin (D) TITLE: Housing: Regional Job Growth INTRODUCED: 02/22/2005 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Authorizes local governments to create Greyfield housing and investments zones in areas where additional job growth and high density housing is desired to match transportation, air quality, and other regional priorities. Provides that the created zones shall have tax increment authority, access to transportation funds, future infrastructure improvement funds, and affordable housing funds. STATUS: 02/22/2005 INTRODUCED. Subject: AirQuality, EconDevel, Housing, Transport
CA AB 1233	AUTHOR: Jones (D) TITLE: Housing Element: Regional Housing Need INTRODUCED: 02/22/2005

000050

DISPOSITION: Pending
LOCATION: Assembly Housing and Community Development Committee

SUMMARY:

Requires that the inventory of land suitable for residential development under the housing element of a general plan include the jurisdiction's share of the regional housing need in the current planning period and any portion of the share that remains unmet from the planning period for all income levels.

STATUS:

04/13/2005 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on HOUSING AND COMMUNITY DEVELOPMENT.

Subject: Housing

CA AB 1259

AUTHOR: Daucher (R)
TITLE: Property Tax Revenue Allocations
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 03/31/2005
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 04/20/2005 1:30 pm
SUMMARY:

Requires the county auditor to increase the total amount of ad valorem property tax revenue otherwise required to be allocated to a qualified city, qualified county and qualified city and county, by a housing bonus amount. Requires the auditor to commensurately reduce the total amount of ad valorem property tax revenue otherwise required to be allocated to all other local agencies in the county by the countywide housing bonus amount.

STATUS:

04/07/2005 Re-referred to ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.

Subject: Housing, Revenue/Bond

CA AB 1367

AUTHOR: Evans (D)
TITLE: General Plans: Regional Housing Need
INTRODUCED: 02/22/2005
LAST AMEND: 04/11/2005
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 04/20/2005 1:30 pm
SUMMARY:

Prohibits a state, local or regional agency, or any other governmental entity from enacting regulations applicable to a city or county's fair share of the regional housing need that are contrary to the land use determinations made in compliance with locally adopted land use initiatives.

STATUS:

04/11/2005 To ASSEMBLY Committee on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.

04/11/2005 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.

04/11/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

Subject: Housing

CA AB 1387

AUTHOR: Jones (D)
TITLE: CEQA: Residential Infill Projects
INTRODUCED: 02/22/2005
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee
HEARING: 04/25/2005 1:30 pm
SUMMARY:

Provides that, if a residential project on an infill site in an urbanized area is in compliance with the traffic and transportation policies in the general plan or zoning ordinance of the local government, a public agency is not required to make those 2 findings for the impacts of that project on traffic at intersections, or on streets, highways, or freeways.

STATUS:

000051

	03/14/2005 Subject:	To ASSEMBLY Committee on NATURAL RESOURCES. LandUse
CA AB 1390	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Jones (D) Housing 02/22/2005 Pending Assembly Second Reading File Makes a redevelopment agency liable for all court costs and plaintiff's attorney's fees, and requires the agency to allocate not less than 25% of its tax increment revenues to its Low and Moderate Income Housing Fund every year is if a court determines that an agency knowingly misrepresented any material facts regarding the community's share of its regional housing need for low-and moderate-income housing.
	STATUS: 04/12/2005 Subject:	From ASSEMBLY Committee on JUDICIARY: Do pass as amended to Committee on HOUSING AND COMMUNITY DEVELOPMENT. Housing
CA AB 1461	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Salinas (D) Community Development Block Grant Program Funds 02/22/2005 Pending Assembly Housing and Community Development Committee Deletes the specified percentages of grant funds that are to be used for the various purposes and the limits on the maximum amount of community development block grant funds. Requires the Department of Housing and Community Development to determine and announce in the applicable Notice of Funding Availability, these percentage and maximum amounts.
	STATUS: 03/31/2005 Subject:	To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT. Housing
CA SB 143	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Runner (R) Statistical Districts: Antelope Valley yes no 02/03/2005 03/08/2005 Pending Senate Appropriations Committee Requires any state agency or department that develops and maintains data and statistics on the municipal level to make a separate breakdown on the Antelope Valley in the preparation and maintenance of any statistical analyses by county and requires the Counties of Kern and Los Angeles to provide all necessary data.
	STATUS: 04/11/2005 04/11/2005 Subject:	In SENATE. Read second time. To third reading. Re-referred to SENATE Committee on APPROPRIATIONS. Housing
CA SB 223	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Torlakson (D) Infill Housing yes no 02/15/2005 04/12/2005 Pending Senate Appropriations Committee Establishes the Job-Center Housing Planning Program to provide loans to cities and counties to adopt specific plans that provide for additional infill housing opportunities. Requires, as a condition of loan eligibility, that a specific plan meet specified criteria, including that it cover an area that is predominantly urbanized and served by public transportation and that it allow for the

000052

development of at least 200 new housing units in a nonmetropolitan area or 500 new units in a metropolitan area.

STATUS:

04/12/2005

In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

Subject:

Housing

CA SB 253

AUTHOR:

Torlakson (D)

TITLE:

Housing: Fees and Enforcement

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/15/2005

LAST AMEND:

03/29/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Appropriations Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Makes a technical change to the definition of mobilehome for the purposes of the Mobilehome Residency Law. Authorizes a council of governments to charge a fee for determining shares of the existing and projected regional housing need for cities, counties, and subregions at all income levels and for subsequent revisions of specified housing elements. Shortens the correction period and any extension to correct deficiencies found during an inspection of a special occupancy park.

STATUS:

04/05/2005

From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.

Subject:

Housing

CA SB 365

AUTHOR:

Ducheny (D)

TITLE:

Affordable Housing

INTRODUCED:

02/17/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Appropriations Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Relates to the Planning and Zoning Law which requires that each entity that provides water or sewer services be granted a priority for the provision of available and future resources or services to proposed housing developments that help meet the city's or county's share of the regional housing need for lower income households. The bill expressly makes these provisions applicable to charter cities.

STATUS:

04/05/2005

From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.

Subject:

Housing

CA SB 435

AUTHOR:

Hollingsworth (R)

TITLE:

Housing: Density Bonuses

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/17/2005

LAST AMEND:

04/13/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/19/2005 1:30 pm

SUMMARY:

Includes within those eligibility requirements the construction of a mobilehome park that limits residency based on age requirements for housing for older persons and the construction, for the persons and families of moderate income, of a community apartment project and stock cooperative. Requires a city, county, or city and county to permit an additional incentive or concession for projects in which the developer is entitled to a density bonus, but can use less than 50% of the density bonus.

STATUS:

04/13/2005

From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.

04/13/2005

In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.

000053

Subject:		Housing
CA SB 587	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY: Makes technical, non-substantial changes in findings and declarations regarding the CalHome Program. STATUS: 03/03/2005 Subject:	Battin (R) Housing no no 02/18/2005 Pending Senate Rules Committee To SENATE Committee on RULES. Housing
CA SB 588	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY: Authorizes the development agency to adopt a plan for the expenditure of excess surplus funds accumulated in its Low and Moderate Income Housing Fund. STATUS: 03/03/2005 Subject:	Runner (R) Redevelopment: Low and Moderate Income Housing Fund no no 02/18/2005 Pending Senate Transportation and Housing Committee To SENATE Committee on TRANSPORTATION AND HOUSING. Housing
CA SB 673	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY: Declares the intent of the Legislature to enact legislation that would revise the requirements of the California Environmental Quality Act governing the environmental review of proposed residential housing projects in urban areas that have demonstrated housing shortages. STATUS: 03/10/2005 Subject:	Denham (R) CEQA: Legislative Intent: Housing Projects 02/22/2005 Pending Senate Rules Committee To SENATE Committee on RULES. Housing
CA SB 830	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY: Makes technical, nonsubstantive changes to the Davis-Stirling Common Interest Development Act. STATUS: 03/10/2005 Subject:	Runner (R) Common Interest Developments 02/22/2005 Pending Senate Rules Committee To SENATE Committee on RULES. Housing
CA SB 853	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY: Relates to common interest developments. Specifies that the requirement that a decision on a	Kehoe (D) Common Interest Developments no no 02/22/2005 04/07/2005 Pending Senate Rules Committee

000054

proposed change to the owner's separate interest or to the common area may not violate any governing provision of law is not affected by contrary provisions in the association governing documents. Provides other examples of law that a decision of the association may not violate.

STATUS:

04/07/2005

In SENATE. Read second time and amended. Re-referred to Committee on RULES.

Subject:

Housing

CA SB 1026

AUTHOR:

Perata (D)

TITLE:

Housing Element Guidelines: General Plans

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/19/2005 1:30 pm

SUMMARY:

Deletes existing law requiring local governments to conform their housing elements to the provisions of state law governing the housing element part of the general plan by October 1, 1981.

STATUS:

03/17/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

Subject:

Housing, LandUse

CA SB 1087

AUTHOR:

Florez (D)

TITLE:

Housing Elements: Services

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/19/2005 1:30 pm

SUMMARY:

Requires that the adopted housing element and any amendments be delivered immediately. Applies these provisions to the legislative body's share of the regional housing need for very low- and low- income households. Requires these public agencies or private entities to adopt a policy for the allocation of these service in accordance with these provisions within 60 days of the adoption or amendment of the housing element. Provides that a utility provider may not deny services to low-income households.

STATUS:

03/17/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

Subject:

Housing, LandUse

CA SR 8

AUTHOR:

Torlakson (D)

TITLE:

Transportation and Housing

INTRODUCED:

01/11/2005

DISPOSITION:

Pending

LOCATION:

Senate Transportation and Housing Committee

SUMMARY:

Declares that the Senate places a high priority during the 2005-06 Regular Session on improving access to housing and reducing traffic congestion by promoting affordable housing, infill development, and other policies that allow people to live closer to their workplaces.

STATUS:

01/27/2005

Withdrawn from SENATE Committee on RULES.

01/27/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

Subject:

Housing, Transport

US H 176

SPONSOR:

Miller Ga (R)

TITLE:

Homeownership

INTRODUCED:

01/04/2005

DISPOSITION:

Pending

LOCATION:

House Financial Services Committee

SUMMARY:

Facilitates homeownership in high-cost areas.

STATUS:

01/04/2005

INTRODUCED.

01/04/2005

To HOUSE Committee on FINANCIAL SERVICES.

US H 393

SPONSOR:

Lynch (D)

000055

TITLE: Rental Assistance Program
INTRODUCED: 01/26/2005
DISPOSITION: Pending
LOCATION: House Financial Services Committee
SUMMARY:

To require the Secretary of Housing and Urban Development to notify the Congress of any shortfall in funding for the tenant - based rental assistance program under section 8 of the United States Housing Act of 1937.

STATUS:
 01/26/2005 INTRODUCED.
 01/26/2005 To HOUSE Committee on FINANCIAL SERVICES.

US S 83

SPONSOR: Inouye (D)
TITLE: Tax Relief
INTRODUCED: 01/24/2005
DISPOSITION: Pending
LOCATION: Senate Finance Committee
SUMMARY:

A bill to amend the Internal Revenue Code of 1986 to provide tax relief for the conversion of cooperative housing corporations into condominiums.

STATUS:
 01/24/2005 INTRODUCED.
 01/24/2005 In SENATE. Read second time.
 01/24/2005 To SENATE Committee on FINANCE.

Private file: LandUse

CA AB 691

AUTHOR: Hancock (D)
TITLE: Transit Village Plans
INTRODUCED: 02/17/2005
DISPOSITION: Pending
FILE: 40
LOCATION: Assembly Third Reading File
SUMMARY:

Authorizes a county or city to declare that a previously adopted specific plan or redevelopment plan that conforms to specified requirements constitutes a village transit plan.

STATUS:
 04/04/2005 In ASSEMBLY. Read second time. To third reading.
Subject: LandUse, Transit

CA AB 712

AUTHOR: Canciamilla (D)
TITLE: Land Use: Density
INTRODUCED: 02/17/2005
DISPOSITION: Pending
LOCATION: Assembly Housing and Community Development Committee
SUMMARY:

Relates to residential density. Defines a lower residential density below which the city, county, or city and county would be required to make the specified written findings.

STATUS:
 04/13/2005 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
Subject: Housing, LandUse

CA AB 773

AUTHOR: Mullin (D)
TITLE: Housing Development: Project: Local Agencies
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
DISPOSITION: Pending
LOCATION: Assembly Public Employees, Retirement and Social Security Committee
SUMMARY:

Makes technical and conforming changes to provisions of the Planning and Zoning Law.

STATUS:
 04/11/2005 To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.

000056

Subject:		Housing
CA AB 921	AUTHOR:	Daucher (R)
	TITLE:	Redevelopment
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2005
	DISPOSITION:	Pending
	COMMITTEE:	Assembly Housing and Community Development Committee
	HEARING:	04/27/2005 9:00 am
	SUMMARY:	Authorizes a redevelopment agency to amend its redevelopment plan to extend the time limit on the plan's effectiveness for an additional 25 years without making new finding of blight.
	STATUS:	
	03/30/2005	In ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Heard, remains in Committee.
Subject:		LandUse
CA AB 1299	AUTHOR:	Nava (D)
	TITLE:	California Coastal Act: Policies
	INTRODUCED:	02/22/2005
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Makes technical, nonsubstantive changes in the California Coastal Act of 1976 that provides for the planning and regulation of development within the coastal zone.
	STATUS:	
	02/22/2005	INTRODUCED.
	Subject:	LandUse
CA AB 1450	AUTHOR:	Evans (D)
	TITLE:	Land Use: Density Bonus
	INTRODUCED:	02/22/2005
	LAST AMEND:	04/04/2005
	DISPOSITION:	Pending
	LOCATION:	Assembly Local Government Committee
	SUMMARY:	Requires units targeted for moderate income households to be affordable at a rent that does not exceed 30% of 120% of the medium income. Provides that when a unit targeted for moderate income households is sold, the act would require the local government to either require restrictions and conditions on the resale to ensure the continued affordability to and occupancy by households of moderate income for at least 30 years or permit the seller certain options.
	STATUS:	
	04/04/2005	From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.
	04/04/2005	In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
Subject:		Housing, LandUse
CA SB 44	AUTHOR:	Kehoe (D)
	TITLE:	General Plans: Air Quality Element
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	01/04/2005
	LAST AMEND:	02/23/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Appropriations Committee
	HEARING:	04/18/2005 1:30 pm
	SUMMARY:	Requires the legislative body of each city and county, including those in the San Joaquin Valley Air Pollution Control District, to amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing elements.
STATUS:		

000057

	03/02/2005	From SENATE Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
	Subject:	AirQuality, LandUse
CA SB 241	AUTHOR:	Margett (R)
	TITLE:	Coastal Resources: Development Policies
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/15/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Rules Committee
	SUMMARY:	Makes a technical, nonsubstantive change in the provision which specifies planning and management policies for the location of a new residential, commercial, and industrial development in the coastal zone.
	STATUS:	
	02/24/2005	To SENATE Committee on RULES.
	Subject:	LandUse
CA SB 326	AUTHOR:	Dunn (D)
	TITLE:	Land Use: Housing Elements
	INTRODUCED:	02/16/2005
	LAST AMEND:	04/12/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Transportation and Housing Committee
	HEARING:	04/19/2005 1:30 pm
	SUMMARY:	Provides that an attached housing development that is proposed to be placed on a parcel zoned for multifamily or single family use is not subject to a conditional use permit on any parcel zoned for housing, if the existing percentages of the units are available at affordable housing costs to very low income, lower income, and moderate income households for at least 30 years and if the housing development meets specified conditions.
	STATUS:	
	04/12/2005	From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.
	04/12/2005	In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.
	Subject:	Housing, LandUse
CA SB 409	AUTHOR:	Kehoe (D)
	TITLE:	General Plans: Air Quality Element
	INTRODUCED:	02/17/2005
	LAST AMEND:	04/13/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Local Government Committee
	HEARING:	04/20/2005 9:30 am
	SUMMARY:	Requires that portion of the conservation element of a city or county's long-term general plan that includes waters to be correlated with the land use element.
	STATUS:	
	04/13/2005	From SENATE Committee on LOCAL GOVERNMENT with author's amendments.
	04/13/2005	In SENATE. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
	Subject:	AirQuality, LandUse
CA SB 521	AUTHOR:	Torlakson (D)
	TITLE:	Local Planning: Transit Village Plans
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2005
	LAST AMEND:	04/12/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Appropriations Committee
	SUMMARY:	

000058

Requires a transit village plan to include a transit station and parcel at least a portion of which are with no more than 1/4 mile of the exterior boundary of the parcel on which the transit station is located or parcels located in an area equal to the area encompassed by a 1/4 mile radius from the exterior boundary of the parcel on which the station is located. Requires a city or county to allow use by right within a transit village development district. Defines the condition of blight.

STATUS:

04/12/2005

In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

Subject:

Housing, Transit

CA SB 575

AUTHOR:

Torlakson (D)

TITLE:

Housing Development Projects

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

02/18/2005

LAST AMEND:

03/29/2005

DISPOSITION:

Pending

FILE:

26

LOCATION:

Senate Third Reading File

SUMMARY:

Amends Planning and Zoning Law provisions relating to approval or disapproval of projects for farmworker housing, very low, low-, or moderate-income households. Revises conditions upon which a disapproval or a conditional approval of a housing development project is based.

STATUS:

04/11/2005

In SENATE. Read second time. To third reading.

Subject:

Housing, LandUse

CA SB 832

AUTHOR:

Perata (D)

TITLE:

CEQA: Infill Development

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Environmental Quality Committee

HEARING:

04/25/2005

SUMMARY:

Provides an alternative to infill criteria if the site is located in a city with a population of more than 200,000 persons by increasing the exempted site size to 10 acres and the maximum number of residential units to 300, respectively, as determined by a resolution of the city council.

STATUS:

03/10/2005

To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject:

Housing, LandUse

CA SB 927

AUTHOR:

Lowenthal (D)

TITLE:

General Plans: Transportation Elements

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Local Government Committee

HEARING:

04/20/2005 9:30 am

SUMMARY:

Renames the circulation element the transportation element and make other technical and conforming changes. Requires a general plan to include a statement of development policies and, among other elements, a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

STATUS:

03/31/2005

Withdrawn from SENATE Committee on RULES.

03/31/2005

Re-referred to SENATE Committee on LOCAL GOVERNMENT.

Subject:

LandUse, Transport

CA SB 948

AUTHOR:

Murray (D)

TITLE:

Environmental Impact Reports

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Senate Environmental Quality Committee

SUMMARY:

000059

Requires a lead agency to prepare a short form environmental impact report for a project subject to California Environmental Quality Act if the lead agency has determined that the project meets specified criteria, including that the project consists of a residential development combined with one or more qualified urban uses, as defined, is located within the boundaries of an incorporated city or within an unincorporated area designated in an approval local general plan for residential development.

STATUS:

03/17/2005

To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject:

Housing, LandUse

CA SB 968

AUTHOR:

Torlakson (D)

TITLE:

Land Use Planning: General Plans

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/19/2005 1:30 pm

SUMMARY:

Requires the land use element of the general plan to identify sufficient land for housing at appropriate densities to accommodate the jurisdiction's housing needs through the end of the general plan's planning period.

STATUS:

03/17/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

Subject:

Housing, LandUse

CA SB 994

AUTHOR:

Ashburn (R)

TITLE:

General Plans

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Senate Rules Committee

SUMMARY:

Makes a technical, nonsubstantive change to the Planning and Zoning Law. Requires that a city or county general plan consist of various elements, including, but not limited to, land use, circulation, housing, open space, and conservation elements, which are required to meet specified requirements.

STATUS:

03/17/2005

To SENATE Committee on RULES.

Subject:

LandUse

US H 280

SPONSOR:

Miller Ga (R)

TITLE:

Brownfield Redevelopment

INTRODUCED:

01/06/2005

DISPOSITION:

Pending

LOCATION:

House Financial Services Committee

SUMMARY:

Facilitates the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields.

STATUS:

01/06/2005

INTRODUCED.

01/06/2005

To HOUSE Committee on FINANCIAL SERVICES.

US H 336

SPONSOR:

Lynch (D)

TITLE:

Public Works And Economic Development Act

INTRODUCED:

01/25/2005

DISPOSITION:

Pending

LOCATION:

Multiple Committees

SUMMARY:

To amend the Public Works and Economic Development Act of 1965 to provide assistance to communities for the redevelopment of brownfield sites.

STATUS:

01/25/2005

INTRODUCED.

01/25/2005

To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

01/25/2005

Additionally referred to HOUSE Committee on FINANCIAL SERVICES.

US H 1237

SPONSOR:

Hart (R)

TITLE:

Public Works and Economic Development Act

000060

INTRODUCED: 03/10/2005
DISPOSITION: Pending
LOCATION: Multiple Committees
SUMMARY:

To amend the Public Works and Economic Development Act of 1965 to provide assistance to communities for the redevelopment of brownfield sites.

STATUS:

03/10/2005 INTRODUCED.
 03/10/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
 03/10/2005 Additionally referred to HOUSE Committee on FINANCIAL SERVICES.

Private file: SolidWaste

CA AB 177

AUTHOR: Bogh (R)
TITLE: Solid Waste: Biomass Conversion: Transformation
INTRODUCED: 01/24/2005
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY:

Relates to the California Integrated Waste Management Act of 1989. Revises the definition of biomass conversion to mean the controlled combustion, thermal conversion, chemical conversion, or biological conversion, other than composting, of biomass waste used for producing electricity, heat, or a reconstituted product that meets the quality standards for use in the marketplace. Defines the term "biomass waste". Revises the definition of transformation to mean the incineration of mixed solid waste.

STATUS:

01/31/2005 To ASSEMBLY Committee on NATURAL RESOURCES.
Subject: SolidWaste

CA AB 575

AUTHOR: Wolk (D)
TITLE: Electronic Waste Recycling
INTRODUCED: 02/16/2005
DISPOSITION: Pending
COMMITTEE: Assembly Environmental Safety and Toxic Materials Committee
HEARING: 04/26/2005 1:30 pm
SUMMARY:

Allows a retailer to elect to pay the covered electronic waste recycling fee on behalf of the consumer by paying the covered electronic waste recycling fee to the retailer's vendor. Provides that if the retailer makes this election, the covered electronic waste recycling fee is a debt owed by the vendor to the state, and the consumer and the retailer are not liable for the fee.

STATUS:

04/11/2005 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on ENVIRONMENTAL SAFETY & TOXIC MATERIALS.
Subject: SolidWaste

CA AB 727

AUTHOR: Bermudez (D)
TITLE: Solid Waste: Integrated Waste Management
INTRODUCED: 02/17/2005
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee
HEARING: 04/18/2005 1:30 pm
SUMMARY:

Amends the Integrated Waste Management Act the requires the Integrated Waste Management Board and local agencies to promote waste management practices in a specified order of priority. Includes in that list of practices the recovery of waste through conversion technology, or other beneficial use technologies, and reorder the list of priorities.

STATUS:

03/03/2005 To ASSEMBLY Committee on NATURAL RESOURCES.
Subject: SolidWaste

CA AB 1049

AUTHOR: Koretz (D)
TITLE: Recycling: Food and Beverage Packages: Labeling
INTRODUCED: 02/22/2005
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee

000061

HEARING: 04/25/2005 1:30 pm**SUMMARY:**

Prohibits a person, on and after January 1, 2007, from selling a food or beverage package, in the state unless the food or beverage package complies with the labeling requirements that they labeled with a code that indicates the resin used to produce the rigid plastic bottle or rigid plastic container require a food and beverage package to labeled with consumer disposal instructions consisting of a code indicating the appropriate disposal method.

STATUS:

03/07/2005

To ASSEMBLY Committee on NATURAL RESOURCES.

Subject:

SolidWaste

CA AB 1090

AUTHOR:

Matthews (D)

TITLE:

Solid Waste: Diversion: Conversion

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Natural Resources Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Revises the waste management practices that the integrated Waste Management Board and local agencies are required to promote. Repeals the definition of the term gasification. Defines the terms conversion technology, beneficial use and recovery. Revises the definition of the term "transformation" to exclude pyrolysis, distillation or biological conversion other than composting from that definition. Specifies that transformation does not include conversion technology.

STATUS:

03/30/2005

To ASSEMBLY Committees on NATURAL RESOURCES and UTILITIES AND COMMERCE.

Subject:

SolidWaste

CA AB 1103

AUTHOR:

Karnette (D)

TITLE:

Bicycle Recycling

INTRODUCED:

02/22/2005

LAST AMEND:

04/12/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Natural Resources Committee

HEARING:

04/25/2005 1:30 pm

SUMMARY:

Establishes the Bicycle Recycling and Disposal Program. Requires each person selling a new bicycle in the state to pay a charge of \$7. Exempts a used bicycle from the charge. Requires the board to deposit the revenues collected into the California Bicycle Recycling and Disposal Program Fund. Pays refund values. Makes block grants for the implementation of certified reCycling centers and covers the cost of insurance. Requires the board to appoint an administrator to oversee the program and certify centers.

STATUS:

04/12/2005

From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.

04/12/2005

In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

Subject:

SolidWaste

CA AB 1125

AUTHOR:

Pavley (D)

TITLE:

Household Battery Recycling Act

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Environmental Safety and Toxic Materials Committee

HEARING:

04/26/2005 1:30 pm

SUMMARY:

Enacts the Household Battery Recycling Act of 2006 and would define terms for purposes of the act, including "household battery." Requires a retailer of household batteries to have in place a system for the acceptance and collection of used household batteries for reuse, recycling, or proper disposal including the take-back at no cost to the consumer of a used household battery.

STATUS:

03/17/2005

To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

Subject:

SolidWaste

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CA AB 1193	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Hancock (D) Recycling: Compact Discs and Digital Versatile Discs 02/22/2005 Pending Assembly Arts, Entertainment, Sports, Tourism and Internet Media Committee Prohibits the distribution or mass mailing of compact discs (CDs) or digital versatile discs (DVDs) for commercial purposes to households that are assessed a solid waste fee, without the consent of a person in the household, unless the recipient is provided a postage paid return mailing envelope or similar return mechanism that would allow the recipient to return the disc.
	STATUS: 04/11/2005 Subject:	From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on ARTS, ENT., SPORTS, TOURISM & INTERNET MEDIA. SolidWaste
CA AB 1341	AUTHOR: TITLE: INTRODUCED: DISPOSITION: FILE: LOCATION: SUMMARY:	Assembly Environmental Safety and Toxic Materials Committee Hazardous Waste: Major Appliance Disposal 02/22/2005 Pending 5 Assembly Second Reading File Makes a technical, nonsubstantive change to existing law that requires a person who transports, delivers, or sells discarded major appliances to a scrap recycling facility to provide evidence that the person is a certified appliance recycler and that prohibits a scrap recycling facility from accepting a discarded major appliance from any person who is not a certified appliance recycler.
	STATUS: 04/12/2005 Subject:	From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass. To Consent Calendar. SolidWaste
CA SB 318	AUTHOR: TITLE: INTRODUCED: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Romero (D) Waste Management 02/16/2005 Pending Senate Environmental Quality Committee 04/25/2005 Requires that the Integrated Waste Management Board and local agencies maximize the public awareness of all feasible source reduction, recycling, and composting options in order to reduce the amount of solid waste that must be disposed of by transformation and land disposal.
	STATUS: 02/24/2005 Subject:	To SENATE Committee on ENVIRONMENTAL QUALITY. SolidWaste
CA SB 411	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Alarcon (D) Solid Waste: Nonbiodegradable Materials: Landfills 02/17/2005 Pending Senate Rules Committee Makes a statement of the Legislature's intent to enact legislation that would reduce the expansion of landfills by reducing the use of materials that do not biodegrade.
	STATUS: 02/24/2005 Subject:	To SENATE Committee on RULES. SolidWaste
CA SB 423	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION:	Simitjan (D) Electronic Waste: Recycling yes no 02/17/2005 04/12/2005 Pending

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COMMITTEE: Senate Environmental Quality Committee**HEARING:** 04/18/2005 1:30 pm**SUMMARY:**

Amends the Electronic Waste Recycling Act of 2003. Requires the Integrated Waste Management Board to establish and update statewide electronic waste recycling goals in consultation with the Department of Toxic Substances Control.

STATUS:

04/12/2005 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.

04/12/2005 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

Subject: SolidWaste

CA SB 928

AUTHOR: Lowenthal (D)**TITLE:** Public Resources: Solid Waste**INTRODUCED:** 02/22/2005**DISPOSITION:** Pending**LOCATION:** Senate Rules Committee**SUMMARY:**

Changes that percentage to an unspecified amount a city or county source reduction element to divert of all solid waste from landfill disposal of transformation through source reduction, recycling, and composting activities.

STATUS:

03/10/2005 To SENATE Committee on RULES.

Subject: SolidWaste

CA SB 1076

AUTHOR: Perata (D)**TITLE:** Solid Waste**INTRODUCED:** 02/22/2005**DISPOSITION:** Pending**LOCATION:** Senate Rules Committee**SUMMARY:**

Makes a technical, nonsubstantive change in the California Integrated Waste Management Act that requires each county, city, district, or other local government agency that provides solid waste handling services to provide for those services, including, but not limited to, source reduction, recycling, composting activities, and the collection, transfer, and disposal of solid waste within or without the territory subject to its solid waste handling jurisdiction.

STATUS:

03/17/2005 To SENATE Committee on RULES.

Subject: SolidWaste

US H 879

SPONSOR: Dingell (D)**TITLE:** Solid Waste Disposal Act**INTRODUCED:** 02/17/2005**DISPOSITION:** Pending**LOCATION:** House Energy and Commerce Committee**SUMMARY:**

Amends the Solid Waste Disposal Act to provide for secondary containment to prevent MTBE and petroleum contamination.

STATUS:

02/17/2005 INTRODUCED.

02/17/2005 To HOUSE Committee on ENERGY AND COMMERCE.

US S 439

SPONSOR: Boxer (D)**TITLE:** Methyl Tertiary Butyl Ether**INTRODUCED:** 02/17/2005**DISPOSITION:** Pending**LOCATION:** Senate Environment and Public Works Committee**SUMMARY:**

A bill to amend the Solid Waste Disposal Act to provide for secondary containment to prevent methyl tertiary butyl ether and petroleum contamination.

STATUS:

02/17/2005 INTRODUCED.

02/17/2005 In SENATE. Read second time.

02/17/2005 To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

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Private file: Transit

CA AB 948 **AUTHOR:** Oropeza (D)
TITLE: Design-Build and Transit Operators
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
LAST AMEND: 04/13/2005
DISPOSITION: Pending
COMMITTEE: Assembly Business and Professions Committee
HEARING: 04/26/2005 9:00 am
SUMMARY:
 Specifies that a transit operator is required to establish a labor compliance program only for a design-build contract and only if the transit operator does not already have a labor compliance program. Changes the prohibition regarding design-build rail projects to instead prohibit a transit operator from utilizing the design-build method of procurement for a capital maintenance or capacity-enhancing rail project, unless that project costs more than \$3,000,000.
STATUS:
 04/13/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on BUSINESS AND PROFESSIONS.
Subject: Transit, Transport

CA AB 1649 **AUTHOR:** Liu (D)
TITLE: Metro Foothills Gold Line Construction Authority
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:
 Changes the name of the Pasadena Metro Blue Line Construction Authority to the Metro Foothills Gold Line Construction Authority and revises the composition of its governing board's membership. Specifies a schedule for construction of the light rail project and requires the Los Angeles County Metropolitan Transportation Authority to submit a financial plan to the Legislature for this construction.
STATUS:
 03/17/2005 To ASSEMBLY Committee on TRANSPORTATION.
Subject: Transit

US H 52 **SPONSOR:** Capito (R)
TITLE: Rail and Mass Transportation
INTRODUCED: 01/04/2005
DISPOSITION: Pending
LOCATION: House Judiciary Committee
SUMMARY:
 Amends title 18, United States Code, to further protect rail and mass transportation, and for other purposes.
STATUS:
 01/04/2005 INTRODUCED.
 01/04/2005 To HOUSE Committee on JUDICIARY.

US H 959 **SPONSOR:** Pitts (R)
TITLE: Mass Transportation Projects
INTRODUCED: 02/17/2005
DISPOSITION: Pending
LOCATION: House Transportation & Infrastructure Committee
SUMMARY:
 Amends the United States Code to allow additional transit systems greater flexibility with certain mass transportation projects.
STATUS:
 02/17/2005 INTRODUCED.
 02/17/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

Private file: Transportation

CA AB 53 **AUTHOR:** Negrete McLeod (D)

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TITLE: State Agency Consolidation
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 12/06/2004
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Declares the Legislature's intent to build upon efforts to eliminate governmental waste and inefficiency, consolidate 5 separate state agencies into a single entity with specified responsibilities, create an Office of Management and Budget with responsibility for the state's fiscal affairs, personnel management, and procurement systems, and consolidate the Teale Data Center and the Health and Human Service Data Center.

STATUS:
 12/06/2004 INTRODUCED.

COMMENTARY:
 Relates to CPR
Subject:

Transport

CA AB 189

AUTHOR: Horton S (R)
TITLE: Highway Capacity Enhancement Demonstration Projects
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/26/2005
LAST AMEND: 04/11/2005
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/25/2005 1:30 pm
SUMMARY:

Establishes a coordinated environmental review process for 3 highway capacity enhancement demonstration projects. Requires the projects to be identified by the Department of Transportation and requires that a consolidated environmental permit be issued for each project. Requires the project sponsor to seek and invite participation by applicable agencies.

STATUS:
 04/11/2005 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.
 04/11/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
Subject: Revenue/Bond, Transport

CA AB 209

AUTHOR: Plescia (R)
TITLE: Transportation Systems: Alternative Financing Methods
INTRODUCED: 01/31/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Makes nonsubstantive changes to findings under the the San Diego County Regional Transportation Commission Act.

STATUS:
 01/31/2005 INTRODUCED.
Subject: Revenue/Bond, Transport

CA AB 245

AUTHOR: Walters (R)
TITLE: County Design-Build Contracts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/07/2005
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY:

Authorizes Orange County, until December 1, 2008, to enter into design-build contracts.

STATUS:
 02/15/2005 To ASSEMBLY Committee on LOCAL GOVERNMENT.
Subject: LocGov, Transport

CA AB 267

AUTHOR: Daucher (R)

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TITLE: Transportation Projects
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/08/2005
LAST AMEND: 04/12/2005
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/18/2005 1:30 pm
SUMMARY:

Amends existing law which authorizes a regional or local entity that is the sponsor of, or is eligible to receive funding for, a project contained in the state transportation improvement program to expend its own funds for any component of a project within its jurisdiction that is included in an adopted state transportation improvement program, and for which the commission has not made an allocation. Limits these provisions to projects advanced for expenditure that are programmed in the current fiscal year.

STATUS:

04/12/2005 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.

04/12/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

Subject: Revenue/Bond, Transport

CA AB 426

AUTHOR: Bogh (R)
TITLE: HOV Lanes
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
LAST AMEND: 03/29/2005
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY:

Requires the Department of Transportation to convert all high-occupancy vehicle (HOV) lanes on state highways in the County of Riverside that currently operate on a 24-hour basis into part-time HOV lanes that operate as mixed-flow lanes except during peak periods, subject to any required approvals of the federal government.

STATUS:

04/11/2005 From ASSEMBLY Committee on TRANSPORTATION: Do pass as amended to Committee on APPROPRIATIONS.

Subject: Transport

CA AB 453

AUTHOR: Benoit (R)
TITLE: Grade Separation Projects
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
LAST AMEND: 03/29/2005
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Requires, in order for an allocation for construction costs or for preconstruction costs for grade separation projects, if not already allocated, to be made, that a local agency furnish evidence satisfactory to the Department of Transportation that all matters prerequisite to the award of a construction contract can be accomplished within two years of the allocation.

STATUS:

04/11/2005 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.

Subject: Transport

CA AB 489

AUTHOR: Bermudez (D)
TITLE: Ports: Transportation Network
INTRODUCED: 02/16/2005
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY:

Requires the Port of Los Angeles and the Port of Long Beach to provide reports relative to

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utilization of and congestion at ports annually through 2008.

STATUS:

04/13/2005

From ASSEMBLY Committee on APPROPRIATIONS: Do pass. To Consent Calendar.

Subject:

Transport

CA AB 508

AUTHOR:

Richman (R)

TITLE:

Department of Transportation: Design-Build Contracting

INTRODUCED:

02/16/2005

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Authorizes the Department of Transportation to use the design-build procurement process for its state highway construction contracts.

STATUS:

03/03/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 509

AUTHOR:

Richman (R)

TITLE:

Regional Transportation Agencies

INTRODUCED:

02/16/2005

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Authorizes regional transportation agencies to enter into agreements to finance regional user-fee based transportation projects.

STATUS:

02/28/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 540

AUTHOR:

Liu (D)

TITLE:

State Highway Projects

INTRODUCED:

02/16/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Requires the Department of Transportation, prior to finalizing design and commencing construction on a state highway project, including a project not requiring preparation of full-scale environmental documents, to first meet and confer with the governing body of the affected city or county, and to thereafter hold at least one public meeting at a time and place that is convenient for the community.

STATUS:

04/11/2005

In ASSEMBLY Committee on TRANSPORTATION: Not heard.

Subject:

Transport

CA AB 556

AUTHOR:

Gordon (D)

TITLE:

Airports: Noise Impacts

INTRODUCED:

02/16/2005

LAST AMEND:

04/12/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Requires a proprietor of an airport having a noise impact area to request from the Department of Transportation a variance from noise standards for a period not exceeding 3 years, in accordance with prescribed procedures including provision for a public hearing and notice of the hearing to entities associated with the noise impact area. Prohibits an airport proprietor from operating an airport with a noise impact area unless the operator has applied for and received a variance. Provides for an extension.

STATUS:

04/12/2005

From ASSEMBLY Committee on TRANSPORTATION with author's amendments.

04/12/2005

In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

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Subject:		Transport
CA AB 697	AUTHOR:	Oropeza (D)
	TITLE:	Highway Users Tax Account: Appropriation of Funds
	INTRODUCED:	02/17/2005
	DISPOSITION:	Pending
	LOCATION:	Assembly Appropriations Committee
	SUMMARY:	Provides that all moneys in the Highway Users Tax Account in the Transportation Tax Fund from the prior fiscal year are on continuously appropriated and may be encumbered for certain purposes until the Budget Act is Enacted.
	STATUS:	
	04/13/2005	In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
	Subject:	Revenue/Bond, Transport
CA AB 714	AUTHOR:	Torricon (D)
	TITLE:	High-Speed Passenger Trains
	INTRODUCED:	02/17/2005
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Expresses the Legislature's intent to enact legislation to develop a partnership between public and private entities to promote the construction and operation of a high-speed passenger train system in this state.
	STATUS:	
	02/17/2005	INTRODUCED.
	Subject:	Transit, Transport
CA AB 850	AUTHOR:	Canciamilla (D)
	TITLE:	Toll Road Agreements
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2005
	DISPOSITION:	Pending
	COMMITTEE:	Assembly Transportation Committee
	HEARING:	04/25/2005 1:30 pm
	SUMMARY:	Relates to the Department of Transportation. Authorizes the department to enter into comprehensive development franchise agreements with public and private entities or consortia for specified types of transportation projects. Authorizes tolls to be collected after the termination of a franchise agreement period.
	STATUS:	
	03/03/2005	To ASSEMBLY Committee on TRANSPORTATION.
	Subject:	Transport
CA AB 969	AUTHOR:	Karnette (D)
	TITLE:	Business, Transportation and Housing Agency: Planning
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2005
	DISPOSITION:	Pending
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Requires the Secretary of the Business, Transportation and Housing Agency to develop a strategy to accomplish specified transportation objectives.
	STATUS:	
	03/07/2005	To ASSEMBLY Committee on TRANSPORTATION.
	Subject:	Transport
CA AB 1020	AUTHOR:	Hancock (D)
	TITLE:	Planning: Smart Growth Models
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/22/2005
	DISPOSITION:	Pending

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COMMITTEE: Assembly Transportation Committee**HEARING:** 04/25/2005 1:30 pm**SUMMARY:**

Requires certain federally-designated metropolitan planning organizations and certain state-designated regional transportation planning agencies to develop and implement improved regional travel models incorporating smart growth concepts and to undertake other related planning activities. Requires all transportation models used by state or regional agencies to be usable on personal computers and to be made available to the public.

STATUS:

03/30/2005 To ASSEMBLY Committees on TRANSPORTATION and LOCAL GOVERNMENT.

Subject: Transport

CA AB 1157

AUTHOR: Frommer (D)**TITLE:** State Highways: Performance Measures**INTRODUCED:** 02/22/2005**LAST AMEND:** 04/11/2005**DISPOSITION:** Pending**COMMITTEE:** Assembly Transportation Committee**HEARING:** 04/18/2005 1:30 pm**SUMMARY:**

Requires the Department of Transportation to develop specified performance measures to establish an evaluation and rating of the overall quality of the state highway system. Requires an annual report to the Legislature in that regard.

STATUS:

04/11/2005 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.

04/11/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

Subject: Transport

CA AB 1197

AUTHOR: Gordon (D)**TITLE:** Aviation: Southern California Regional Aviation**INTRODUCED:** 02/22/2005**DISPOSITION:** Pending**LOCATION:** Assembly Transportation Committee**SUMMARY:**

Establishes the Southern California Regional Aviation Commission to facilitate the regional distribution of aviation services to existing airports throughout southern California.

STATUS:

03/10/2005 To ASSEMBLY Committee on TRANSPORTATION.

Subject: Transport

CA AB 1266

AUTHOR: Niello (R)**TITLE:** State Highways: Design-Sequencing Contracts**INTRODUCED:** 02/22/2005**DISPOSITION:** Pending**COMMITTEE:** Assembly Transportation Committee**HEARING:** 04/25/2005 1:30 pm**SUMMARY:**

Authorizes the Department of Transportation to award contracts for projects using the design-sequencing contract method, if certain requirements are met.

STATUS:

03/10/2005 To ASSEMBLY Committee on TRANSPORTATION.

Subject: Transport

CA AB 1276

AUTHOR: Oropeza (D)**TITLE:** Intermodal Corridors of Economic Significance**INTRODUCED:** 02/22/2005**DISPOSITION:** Pending**LOCATION:** Assembly Transportation Committee**SUMMARY:**

Requires the Department of Transportation, in cooperation with regional transportation planning agencies, to establish a task force for the purposes of developing a strategy for avoiding congestion along the state's intermodal corridors of economic significance, and to develop and

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apply freight oriented performance measures on those corridors.

STATUS:

03/10/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 1277

AUTHOR:

Evans (D)

TITLE:

Highway Users Tax Account: State Highway Account

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Provides that all moneys in the Highway Users Tax Account in the Transportation Tax Fund and in the State Highway Account in the State Transportation Fund are continuously appropriated and may be encumbered in any year in which a Budget Act has not been enacted by July 1 for the fiscal year beginning on July 1.

STATUS:

03/10/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Revenue/Bond, Transport

CA AB 1406

AUTHOR:

Karnette (D)

TITLE:

Ports and Harbors: Freight Security Fee

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/25/2005 1:30 pm

SUMMARY:

Imposes a fee of \$10 per intermodal freight container on every freight container processed through a port or harbor in the state. Relates to the office of Homeland Security. Relates to state bonds.

STATUS:

03/30/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Revenue/Bond, Transport

CA AB 1552

AUTHOR:

La Suer (R)

TITLE:

San Diego Consolidated Transportation Agency

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Amends existing law that establishes the San Diego Consolidated Transportation Agency and provides that it is the designated transportation agency for its area. Revises the membership of the agency.

STATUS:

04/11/2005

In ASSEMBLY Committee on TRANSPORTATION: Not heard.

Subject:

Transport

CA AB 1699

AUTHOR:

Frommer (D)

TITLE:

Highway Construction Contracts: Design-Build Projects

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

States the intent of the Legislature to authorize certain transportation authorities to use a design-build process for bidding on one highway construction project within the jurisdiction of the applicable transportation authority.

STATUS:

02/22/2005

INTRODUCED.

Subject:

Transport

CA AB 1714

AUTHOR:

Plescia (R)

TITLE:

Bay Area State-Owned Toll Bridges: Financing

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

000071

COMMITTEE: Assembly Transportation Committee**HEARING:** 04/25/2005 1:30 pm**SUMMARY:**

Revises the estimated cost of the state-owned toll bridge seismic retrofit and replacement program to a specified amount including a certain amount of funds for the replacement of the east span of the San Francisco-Oakland Bay Bridge and revised amounts for certain other toll bridges. Identifies additional state funds from various sources to fund the demolition costs of the replaced span of the San Francisco-Oakland Bay Bridge.

STATUS:

03/30/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Revenue/Bond, Transport

CA ACA 4

AUTHOR: Plescia (R)**TITLE:** Transportation Investment Fund**FISCAL COMMITTEE:** no**URGENCY CLAUSE:** no**INTRODUCED:** 12/06/2004**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Proposes an amendment to the Constitution that relates to existing law which requires that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund. Deletes the provision authorizing the Governor and the Legislature to suspend the transfer of revenues from the General Fund to the Transportation Investment Fund for a fiscal year during a fiscal emergency.

STATUS:

12/06/2004

INTRODUCED.

Subject:

Revenue/Bond, Transport

CA ACA 7

AUTHOR: Nation (D)**TITLE:** Local Governmental Taxation**FISCAL COMMITTEE:** no**URGENCY CLAUSE:** no**INTRODUCED:** 12/06/2004**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Proposes a Constitutional Amendment to change the 2/3 voter-approval requirement for special taxes to instead authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. Makes technical nonsubstantive changes to these provisions.

STATUS:

12/06/2004

INTRODUCED.

Position:

CSAC-Sup

Subject:

Revenue/Bond, Transport

CA ACA 9

AUTHOR: Bogh (R)**TITLE:** Motor Vehicle Fuel Sales Tax Revenue**INTRODUCED:** 01/24/2005**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Changes the vote requirement to 4/5 of the membership of each house of the Legislature in order to enact a statute suspending in whole or in part the transfer of motor vehicle fuel sales tax revenue from the General Fund to the Transportation Investment Fund.

STATUS:

01/24/2005

INTRODUCED.

Subject:

Revenue/Bond, Transport

CA ACA 10

AUTHOR: Nunez (D)**TITLE:** Transportation Investment Fund**FISCAL COMMITTEE:** no**URGENCY CLAUSE:** no**INTRODUCED:** 02/15/2005**DISPOSITION:** Pending

LOCATION: ASSEMBLY**SUMMARY:**

Proposes a Constitutional amendment that makes a nonsubstantive change to provisions that require sales taxes on motor vehicle fuel that are deposited in the General Fund to be transferred to the Transportation Investment Fund for allocation to various transportation purposes and authorizes the transfer of such revenues to the Transportation Investment Fund to be suspended during a fiscal emergency.

STATUS:

02/15/2005

INTRODUCED.

Subject:

Revenue/Bond, Transport

CA ACA 11

AUTHOR: Oropeza (D)**TITLE:** Transportation Funds: Loans**INTRODUCED:** 02/16/2005**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Proposes a constitutional amendment that requires interest to be paid on a loan of revenues subject to either Article XIX or XIX A if the loan is not repaid during the same fiscal year in which it was made. Deletes the provisions authorizing the transfer of revenues from the General Fund to the Transportation Investment Fund to be suspended. Authorizes the Legislature to loan funds in the Transportation Investment Fund to the General Fund or any other state fund or account.

STATUS:

02/16/2005

INTRODUCED.

Subject:

Revenue/Bond, Transport

CA ACR 23

AUTHOR: Garcia (R)**TITLE:** Intrastate Trucking: Traffic Congestion**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:** 02/22/2005**LAST AMEND:** 04/06/2005**DISPOSITION:** Pending**LOCATION:** Assembly Appropriations Committee**SUMMARY:**

Urges the Department of Transportation to examine the flow of traffic to develop commercial trucking routes that would provide for the most direct movement through a city and a county in order to reduce the time that trucks are in city limits and county areas and the level of pollution that is created. Urges city and counties to incorporate this process as part of the revisions to their general and specific plans.

STATUS:

04/06/2005

In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

Subject:

AirQuality, Transport

CA SB 32

AUTHOR: Alarcon (D)**TITLE:** Los Angeles County Regional Airport Authority**FISCAL COMMITTEE:** no**URGENCY CLAUSE:** no**INTRODUCED:** 12/09/2004**DISPOSITION:** Pending**LOCATION:** Senate Rules Committee**SUMMARY:**

Declares the intent of the Legislature to establish the Los Angeles County Regional Airport Authority.

STATUS:

01/27/2005

To SENATE Committee on RULES.

Subject:

Transport

CA SB 45

AUTHOR: Alarcon (D)**TITLE:** Intermodal Marine Terminals**FISCAL COMMITTEE:** no**URGENCY CLAUSE:** no**INTRODUCED:** 01/05/2005**LAST AMEND:** 04/13/2005

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DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY:
 Prohibits an intermodal marine equipment provider or marine terminal operator from imposing per diem or detention charges, or demurrage charges, on an intermodal motor carrier relative to transactions involving cargo shipped by intermodal transport under certain circumstances.
STATUS:
 04/13/2005 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.
 04/13/2005 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.
Subject: Transport

CA SB 53 **AUTHOR:** Kehoe (D)
TITLE: San Diego County Regional Airport Authority
INTRODUCED: 01/10/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
 Repeals obsolete provisions pertaining to the interim San Diego County Regional Airport Authority board. Makes a technical corrective change. Amends the San Diego County Regional Airport Act to explicitly restate the applicability of the Ralph M. Brown Act to the Authority.
STATUS:
 02/22/2005 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
Subject: Transport

CA SB 172 **AUTHOR:** Torlakson (D)
TITLE: Seismic Retrofit Projects
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/09/2005
LAST AMEND: 03/29/2005
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:
 Relates to seismic retrofit of state-owned toll bridges. Requires that seismic retrofit reports be submitted within 45 days after the end of each quarter and include a summary to the budget status for support and capital outlay construction costs. Requires the Department of Transportation to take specified actions to manage the risks associated with the projects. Requires the department and the Bay Area Toll Authority to amend the cooperative agreement with respect to the toll bridge retrofit program.
STATUS:
 04/05/2005 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.
Subject: Revenue/Bond, Transport

CA SB 275 **AUTHOR:** Torlakson (D)
TITLE: Transportation Needs Assessment
INTRODUCED: 02/16/2005
LAST AMEND: 04/12/2005
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:
 Requires the Transportation Commission, working with the Department of Transportation and regional transportation planning agencies, to submit a 10-year needs assessment to the Legislature on the state's transportation system.
STATUS:
 04/12/2005 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
Subject: Transport

CA SB 298 **AUTHOR:** Scott (D)
TITLE: Transportation: Local Funding
INTRODUCED: 02/16/2005
DISPOSITION: Pending

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	LOCATION:	Senate Rules Committee
	SUMMARY:	Relates to the amount of local transportation funds to be allocated to claimants. Makes a nonsubstantive change to these provisions.
	STATUS:	
	02/24/2005	To SENATE Committee on RULES.
	Subject:	Transport
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CA SB 324	AUTHOR:	McClintock (R)
	TITLE:	Highways: Transportation Gridlock Emergencies
	INTRODUCED:	02/16/2005
	LAST AMEND:	03/29/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Transportation and Housing Committee
	SUMMARY:	Includes a transportation gridlock emergency within the definition of a state of emergency.
	STATUS:	
	04/05/2005	In SENATE Committee on TRANSPORTATION AND HOUSING: Failed passage.
	Subject:	Transport
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CA SB 371	AUTHOR:	Torlakson (D)
	TITLE:	Public Contracts: Design-Build: Transportation
	INTRODUCED:	02/17/2005
	LAST AMEND:	03/29/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Transportation and Housing Committee
	HEARING:	04/19/2005 1:30 pm
	SUMMARY:	Authorizes, until January 1, 2011, certain state and local transportation entities to use a design-build process for bidding on highway construction projects. Establishes a procedure for submitting bids that includes a requirement that design-build entity bidders provide certain information in a questionnaire submitted to the transportation entity that is verified under oath.
	STATUS:	
	04/05/2005	In SENATE Committee on TRANSPORTATION AND HOUSING: Heard, remains in Committee.
	Subject:	Transport
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CA SB 427	AUTHOR:	Hollingsworth (R)
	TITLE:	California Environmental Quality Act: Exemption
	INTRODUCED:	02/17/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Environmental Quality Committee
	HEARING:	04/25/2005
	SUMMARY:	Exempts from California Environmental Quality Act (CEQA) environmental impact report requirements the construction of any overpass, on-ramp, or off-ramp that is built on an existing State Department of Transportation right-of-way.
	STATUS:	
	03/03/2005	To SENATE Committee on ENVIRONMENTAL QUALITY.
	Subject:	Transport
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CA SB 519	AUTHOR:	McClintock (R)
	TITLE:	Exclusive Use or Preferential Use Highway Lanes
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2005
	LAST AMEND:	04/07/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Appropriations Committee
	SUMMARY:	Requests the University of California to conduct a study, in consultation with the Department of Transportation to cooperate with the university in conducting the study to provide the university requested information on the effective use of different types of highway lanes and to provide funding for the costs of the study.

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STATUS: 04/07/2005		In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
Subject:		Transport
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CA SB 561	AUTHOR:	Runner (R)
	TITLE:	Toll Roads
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Transportation and Housing Committee
	SUMMARY:	
	Deletes the deadline for the Department of Transportation to enter into agreements for privately financed toll road projects. Deletes the limit on the number of authorized projects.	
	STATUS: 03/03/2005	To SENATE Committee on TRANSPORTATION AND HOUSING.
Subject:		Transport
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CA SB 601	AUTHOR:	Soto (D)
	TITLE:	Build California Bond Act of 2006
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2005
	LAST AMEND:	04/12/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Transportation and Housing Committee
	HEARING:	04/19/2005 1:30 pm
	SUMMARY:	
	Enacts the Build California Bond Act of 2006 to authorize state general obligations bonds for specified projects, including construction of highway and public transportation projects that are significant for the state, reduce congestion, provide for safety and facilitate the movement of goods into, through, and out of state. Requires voter approval.	
STATUS: 04/12/2005		From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.
04/12/2005		In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.
Subject:		Revenue/Bond, Transport
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CA SB 680	AUTHOR:	Simitian (D)
	TITLE:	Congestion Management and Transportation Improvements
	INTRODUCED:	02/22/2005
	LAST AMEND:	04/12/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Appropriations Committee
	SUMMARY:	
	Authorizes the Santa Clara Valley Transportation Authority to impose an annual fee of up to \$5 on each motor vehicle registered within Santa Clara County for a program for the management of traffic congestion and for specified street, road, expressway, and transit purposes. Requires a 2/3 vote of the board for adoption as part of the resolution imposing the fee.	
	STATUS: 04/12/2005	In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
	Subject:	Transport
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CA SB 705	AUTHOR:	Runner (R)
	TITLE:	Design-Build Contracts
	INTRODUCED:	02/22/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Transportation and Housing Committee
	HEARING:	04/19/2005 1:30 pm
	SUMMARY:	
	Authorizes the Department of Transportation to contractor using the design-build process for the design and construction of transportation projects. Requires the director of the department to	

000076

establish a prequalification and selection process.

STATUS:

04/05/2005

In SENATE Committee on TRANSPORTATION AND HOUSING: Heard, remains in Committee.

Subject:

Transport

CA SB 760

AUTHOR:

Lowenthal (D)

TITLE:

Ports: Congestion Relief: Security Enhancement

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Environmental Quality Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Imposes on each shipping container processed in the Port of Los Angeles and the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit (TEU), payable to the port by the marine terminal operator processing the container. Requires the ports to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 due to the California Transportation Commission and 1/2 to the South Coast Air Quality Management District.

STATUS:

04/05/2005

From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on ENVIRONMENTAL QUALITY.

Subject:

Transport

CA SB 762

AUTHOR:

Lowenthal (D)

TITLE:

Vehicular Sources: Intermodal Port Congestion

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/22/2005

LAST AMEND:

04/13/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Environmental Quality Committee

HEARING:

04/18/2005 1:30 pm

SUMMARY:

Creates the Log Angeles-Long Beach Area Intermodal Joint Powers Authority and the Oakland Area Intermodal Joint Powers Authority to oversee the functions of the Los Angeles-Long Beach Area Regional Intermodal Port Congestion and Environmental Quality Commission (LAIPC) and the Oakland Area Regional Intermodal Port Congestion and Environmental Quality Commission (OAIPC). Permits the LAIPC and OAIPC to grant motor carriers port permits for authority to enter a port for delivery of intermodal freight.

STATUS:

04/13/2005

In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

Subject:

Transport

CA SB 763

AUTHOR:

Lowenthal (D)

TITLE:

Ports: Priority Berthing Program

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/19/2005 1:30 pm

SUMMARY:

Requires the Port of Los Angeles and the Port of Long Beach to develop a program to provide priority berthing to ocean-going vessels that use fuel with not more than 0.2% sulfur content. Requires the program to be implemented by the ports by June 1, 2006.

STATUS:

04/05/2005

In SENATE Committee on TRANSPORTATION AND HOUSING: Not heard.

Subject:

Transport

CA SB 788

AUTHOR:

McClintock (R)

TITLE:

Highways

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Senate Rules Committee

000077

SUMMARY:

Makes nonsubstantive, technical changes in existing law that authorizes the establishment of highway lanes for the exclusive or preferential use of high occupancy vehicles.

STATUS:

03/10/2005

To SENATE Committee on RULES.

Subject:

Transport

CA SB 789

AUTHOR:

McClintock (R)

TITLE:

Transportation

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Senate Rules Committee

SUMMARY:

Makes nonsubstantive, technical changes to existing law that requires Transportation Commission to program interregional and regional transportation capital improvement projects through the State Transportation Improvement Program process, consistent with estimated available funding.

STATUS:

03/10/2005

To SENATE Committee on RULES.

Subject:

Transport

CA SB 851

AUTHOR:

Murray (D)

TITLE:

L.A. County Metropolitan Transportation Authority

INTRODUCED:

02/22/2005

LAST AMEND:

04/11/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/19/2005 1:30 pm

SUMMARY:

Makes conforming changes relative to existing law that creates the Los Angeles County Metropolitan Transportation Authority. Establishes an alternative procedure for the Los Angeles County Metropolitan Transportation Authority to utilize in the procurement of goods and services.

STATUS:

04/11/2005

From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.

04/11/2005

In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.

Subject:

Transport

CA SB 944

AUTHOR:

Murray (D)

TITLE:

Department of Transportation

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Senate Rules Committee

SUMMARY:

Provides that the Department of Transportation has full possession and control of the state highway system. Declares the intent of the Legislature to enact legislation relative to the Department of Transportation.

STATUS:

03/17/2005

To SENATE Committee on RULES.

Subject:

Transport

CA SB 988

AUTHOR:

Migden (D)

TITLE:

Highway Funding: Policy

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Senate Rules Committee

SUMMARY:

Makes the Department of Transportation responsible for improving and maintaining the state highway system. Makes nonsubstantive changes to the transportation funding policy provision.

STATUS:

03/17/2005

To SENATE Committee on RULES.

Subject:

Transport

CA SB 1020

AUTHOR:

Migden (D)

000078

STATUS: In SENATE Committee on REVENUE AND TAXATION: To Suspense File.
04/13/2005
Subject: Revenue/Bond, Transport

CA SB 1099	AUTHOR:	Hollingsworth (R)
	TITLE:	Department of Transportation: Duties and Powers
	INTRODUCED:	02/22/2005
	DISPOSITION:	Pending

000079

LOCATION: Senate Rules Committee
SUMMARY: Makes nonsubstantive changes to provisions describing the powers and duties to the Department of Transportation.
STATUS:
 03/17/2005 To SENATE Committee on RULES.
Subject: Transport

CA SCA 7

AUTHOR: Torlakson (D)
TITLE: Loans of Transportation Revenues and Funds
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
DISPOSITION: Pending
COMMITTEE: Senate Elections, Reapportionment and Constitutional Amendments Committee
HEARING: 04/27/2005 9:30 am
SUMMARY: Requires any loan of motor vehicles fuel and vehicle-related revenues or trust funds that is not repaid within the same fiscal year in which the loan was made, or by a date not more than 30 days after the enactment date of the Budget Bill for the subsequent fiscal year, to be repaid with interest at specified rate. Provides that a loan of these funds may also be made to other state funds or accounts under the conditions applicable to loans to the General Fund.
STATUS:
 04/05/2005 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on ELECTIONS, REAPPORTIONMENT AND CONST. AMENDMENTS
Subject: Revenue/Bond, Transport

CA SR 8

AUTHOR: Torlakson (D)
TITLE: Transportation and Housing
INTRODUCED: 01/11/2005
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY: Declares that the Senate places a high priority during the 2005-06 Regular Session on improving access to housing and reducing traffic congestion by promoting affordable housing, infill development, and other policies that allow people to live closer to their workplaces.
STATUS:
 01/27/2005 Withdrawn from SENATE Committee on RULES.
 01/27/2005 To SENATE Committee on TRANSPORTATION AND HOUSING.
Subject: Housing, Transport

CA ACA 4 a

AUTHOR: Keene (R)
TITLE: State Finances
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/20/2005
LAST AMEND: 04/11/2005
DISPOSITION: Pending
LOCATION: Assembly Budget Process Committee
SUMMARY: Proposes a Constitutional amendment that requires, rather than authorizes, the Governor to issue a proclamation declaring a fiscal emergency, and specifies that the proclamation would be issued when the Governor determines either that General Fund revenues will decline below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase above that estimate of General Fund revenues, or both, by a specified amount.
STATUS:
 04/11/2005 From ASSEMBLY Committee on BUDGET PROCESS with author's amendments.
 04/11/2005 In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on BUDGET PROCESS.
Subject: Revenue/Bond, Transport

US H 3	SPONSOR: Young D (R) TITLE: Highway Program Funds INTRODUCED: 02/09/2005 LAST AMEND: 03/10/2005 DISPOSITION: Pending LOCATION: SENATE SUMMARY: Authorizes funds for Federal-aid highways, highway safety programs, and transit programs. STATUS: 04/06/2005 In SENATE. Read second time. 04/06/2005 In SENATE. Placed on SENATE Legislative Calendar.
US H 113	SPONSOR: Kennedy M (R) TITLE: Gasohol Reduced Tax Rate INTRODUCED: 01/04/2005 DISPOSITION: Pending LOCATION: House Transportation & Infrastructure Committee SUMMARY: Requires the Secretary of Transportation, in computing the estimated tax payments attributed to highway users for purposes of title 23, United States Code, to take into account the replacement of the reduced rates of tax on gasohol with an excise tax credit. STATUS: 01/04/2005 INTRODUCED. 01/04/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 168	SPONSOR: Millender-McDon (D) TITLE: Freight Transportation Gateways INTRODUCED: 01/04/2005 DISPOSITION: Pending LOCATION: House Transportation & Infrastructure Committee SUMMARY: Establishes a goods movement program to improve the productivity, security, and safety of freight transportation gateways. STATUS: 01/04/2005 INTRODUCED. 01/04/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 169	SPONSOR: Millender-McDon (D) TITLE: High Priority Corridor INTRODUCED: 01/04/2005 DISPOSITION: Pending LOCATION: House Transportation & Infrastructure Committee SUMMARY: Designates a high priority corridor in California. STATUS: 01/04/2005 INTRODUCED. 01/04/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 242	SPONSOR: Ehlers (R) TITLE: Department of Transportation INTRODUCED: 01/06/2005 DISPOSITION: Pending LOCATION: Multiple Committees SUMMARY: To authorize appropriations to the Department of Transportation for surface transportation research and development, and for other purposes. STATUS: 01/06/2005 INTRODUCED. 01/06/2005 To HOUSE Committee on SCIENCE. 01/06/2005 Additionally referred to HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 243	SPONSOR: Ehlers (R) TITLE: Department of Transportation INTRODUCED: 01/06/2005

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DISPOSITION: Pending
LOCATION: House Science Committee
SUMMARY:
 To authorize appropriations to the Department of Transportation for surface transportation research and development, and for other purposes.
STATUS:
 01/06/2005 INTRODUCED.
 01/06/2005 To HOUSE Committee on SCIENCE.

US H 325 **SPONSOR:** Graves (R)
TITLE: High Occupancy Vehicle Facilities
INTRODUCED: 01/25/2005
DISPOSITION: Pending
LOCATION: House Transportation & Infrastructure Committee
SUMMARY:
 To amend title 23, United States Code, to establish requirements for the operation of high occupancy vehicle facilities on highways.
STATUS:
 01/25/2005 INTRODUCED.
 01/25/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

US H 444 **SPONSOR:** Issa (R)
TITLE: High Occupancy Vehicles
INTRODUCED: 02/01/2005
DISPOSITION: Pending
LOCATION: House Transportation & Infrastructure Committee
SUMMARY:
 To amend title 23, United States Code, relating to the use of high occupancy vehicle lanes by hybrid vehicles.
STATUS:
 02/01/2005 INTRODUCED.
 02/01/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

US H 494 **SPONSOR:** Rohrabacher (R)
TITLE: Harbor Fees
INTRODUCED: 02/01/2005
DISPOSITION: Pending
LOCATION: House Transportation & Infrastructure Committee
SUMMARY:
 To amend the Water Resources Development Act of 1986 to expand the authority of non - Federal interests to levy harbor fees.
STATUS:
 02/01/2005 INTRODUCED.
 02/01/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

US H 603 **SPONSOR:** Watson (D)
TITLE: Safety and Reduce Traffic Congestion
INTRODUCED: 02/02/2005
DISPOSITION: Pending
LOCATION: House Transportation & Infrastructure Committee
SUMMARY:
 Improves safety and reduce traffic congestion at grade crossings.
STATUS:
 02/02/2005 INTRODUCED.
 02/02/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

US H 942 **SPONSOR:** Kilpatrick (D)
TITLE: Surface Transportation Projects
INTRODUCED: 02/17/2005
DISPOSITION: Pending
LOCATION: Multiple Committees
SUMMARY:
 To require government agencies carrying out surface transportation projects to conduct a cost - benefit analysis before procuring architectural, engineering, and related services from a private contractor, and for other purposes.

	STATUS: 02/17/2005 02/17/2005 02/17/2005	INTRODUCED. To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE. Additionally referred to HOUSE Committee on GOVERNMENT REFORM.
US H 996	SPONSOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Thomas (R) Highway Related Taxes 03/01/2005 Pending HOUSE Provides for the extension of highway related taxes and trust funds.
	STATUS: 03/08/2005	From HOUSE Committee on WAYS AND MEANS: Reported as amended.
US H 1085	SPONSOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Burgess (R) Design Build 03/03/2005 Pending House Transportation & Infrastructure Committee To amend title 23, United States Code, relating to design - build contracting.
	STATUS: 03/03/2005 03/03/2005	INTRODUCED. To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 1097	SPONSOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Garrett (R) Tax on Fuels 03/03/2005 Pending House Ways and Means Committee To amend the Internal Revenue Code of 1986 to reduce the Federal tax on fuels by the amount of any increase in the rate of tax on such fuel by the States.
	STATUS: 03/03/2005 03/03/2005	INTRODUCED. To HOUSE Committee on WAYS AND MEANS.
US H 1110	SPONSOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Marchant (R) Tolls 03/03/2005 Pending House Transportation & Infrastructure Committee To amend title 23, United States Code, relating to the toll credit toward the non - Federal share payable for certain highway and transit projects.
	STATUS: 03/03/2005 03/03/2005	INTRODUCED. To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 1111	SPONSOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Marchant (R) Design Build Contracting 03/03/2005 Pending House Transportation & Infrastructure Committee To amend title 23, United States Code, relating to design - build contracting.
	STATUS: 03/03/2005 03/03/2005	INTRODUCED. To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US S 104	SPONSOR: TITLE: INTRODUCED: DISPOSITION:	Talent (R) Highway Projects and Rail Transfer Facilities 01/24/2005 Pending

000083

	LOCATION:	Senate Finance Committee
	SUMMARY:	A bill to amend the Internal Revenue Code of 1986 to provide tax - exempt financing of highway projects and rail - truck transfer facilities.
	STATUS:	
	01/24/2005	INTRODUCED.
	01/24/2005	In SENATE. Read second time.
	01/24/2005	To SENATE Committee on FINANCE.
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US S 129	SPONSOR:	Talent (R)
	TITLE:	Facilities
	INTRODUCED:	01/24/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Environment and Public Works Committee
	SUMMARY:	A bill to amend title 23, United States Code, to provide for HOV facilities.
	STATUS:	
	01/24/2005	INTRODUCED.
	01/24/2005	In SENATE. Read second time.
	01/24/2005	To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
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US S 197	SPONSOR:	Boxer (D)
	TITLE:	Traffic Congestion
	INTRODUCED:	01/26/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Commerce, Science & Transportation Committee
	SUMMARY:	A bill to improve safety and reduce traffic congestion at grade crossings.
	STATUS:	
	01/26/2005	INTRODUCED.
	01/26/2005	In SENATE. Read second time.
	01/26/2005	To SENATE Committee on COMMERCE, SCIENCE, AND TRANSPORTATION.
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US S 248	SPONSOR:	DeMint (R)
	TITLE:	Surface Transportation Program Projects
	INTRODUCED:	02/01/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Environment and Public Works Committee
	SUMMARY:	A bill to amend title 23, United States Code, to permit States to carry out surface transportation program projects on local roads to address safety concerns.
	STATUS:	
	02/01/2005	INTRODUCED.
	02/01/2005	In SENATE. Read second time.
	02/01/2005	To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
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US S 428	SPONSOR:	Talent (R)
	TITLE:	Funding for Completion of Public Transportation Systems
	INTRODUCED:	02/17/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Finance Committee
	SUMMARY:	Provides new transportation infrastructure funding in addition to TEA-21 levels through bonding to empower States and local governments to complete significant long term capital improvement projects for highways, public transportation systems, and rail systems, and for other purposes.
	STATUS:	
	02/17/2005	INTRODUCED.
	02/17/2005	In SENATE. Read second time.
	02/17/2005	To SENATE Committee on FINANCE.

Private file: Water

CA AB 290	AUTHOR:	Leslie (R)
	TITLE:	California Waterworks Standards

000034

FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/09/2005
LAST AMEND: 03/17/2005
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY:

Amends the Safe Drinking Water Act. Requires the Department of Health Services, through a study committee, to undertake a 5-year study of methodologies used to determine water source capacities in hard-rock wells in order to determine the techniques for conducting pump tests and evaluating data that will result in the most accurate and cost-effective prediction of long-term well capacity.

STATUS:
 04/12/2005 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass as amended to Committee on APPROPRIATIONS.
Subject: Environment, Water

CA AB 342 **AUTHOR:** Baca (D)
TITLE: Perchlorate Fee
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/10/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Declares the intent of the Legislature to enact legislation that would authorize the Department of Toxic Substances Control to assess a fee on products that contain perchlorate and to expand those funds to treat drinking water wells contaminated with perchlorate.

STATUS:
 02/10/2005 INTRODUCED.
Subject: Water

CA AB 371 **AUTHOR:** Goldberg (D)
TITLE: Water Recycling
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/11/2005
LAST AMEND: 04/06/2005
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Requires the Water Resources Control Board, for purposes of establishing the amount of a fee that may be imposed upon any publicly owned treatment works, to structure the fee schedule to provide incentives to maximize water recycling. Requires the prescribing of general water recycling requirements to nonpotable uses of recycled water. Requires all pipe installed for nonpotable water uses as part of a state construction project to be purple pipe that is suitable for the conveyance of recycled water.

STATUS:
 04/12/2005 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on WATER, PARKS AND WILDLIFE.
Subject: Water

CA AB 374 **AUTHOR:** Bermudez (D)
TITLE: Water Replenishment Districts: Assessment
INTRODUCED: 02/11/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Makes a technical, nonsubstantive change to a provision of the Water Replenishment District Act requiring a producer to pay a water replenishment assessment.

STATUS:
 02/11/2005 INTRODUCED.
Subject: Water

CA AB 495 **AUTHOR:** Montanez (D)

000085

TITLE: Waste Discharge Requirements: Penalties
INTRODUCED: 02/16/2005
LAST AMEND: 03/29/2005
DISPOSITION: Pending
COMMITTEE: Assembly Environmental Safety and Toxic Materials Committee
HEARING: 04/26/2005 1:30 pm
SUMMARY:

Redefines effluent limitation under the Porter-Cologne Water Quality Control Act that provides a penalty for a violation of a toxicity effluent limitation, to mean a numeric restriction, or a narratively expressed numeric restriction, on the quantity, discharge rate, concentration or toxicity units of a pollutant or pollutants that may be discharged from an authorized location.

STATUS:

03/29/2005 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.

03/29/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

Subject: Water

CA AB 501

AUTHOR: La Malfa (R)
TITLE: Water Supply Assessments
INTRODUCED: 02/16/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Revises existing provisions of law relating to water supply planning to require a city or county that undertakes an environmental restoration project, wildlife restoration project, or conservation easement transfer, to identify any public water system that is, or may become a supplier of water for that project, and to determine if the water requirements of the project are included as part of a specified urban water management plan.

STATUS:

02/16/2005 INTRODUCED.

Subject: Water

CA AB 579

AUTHOR: Emmerson (R)
TITLE: Groundwater
INTRODUCED: 02/16/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Makes a technical, nonsubstantive change to existing law that declares that groundwater is a valuable natural resource and should be managed to ensure its safe production and its quality.

STATUS:

02/16/2005 INTRODUCED.

Subject: Water

CA AB 798

AUTHOR: Wolk (D)
TITLE: Water Quality, Watershed & Flood Management Bond Act
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
LAST AMEND: 04/11/2005
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Enacts the Water Quality, Watershed Protection, and Flood Management Bond Act of 2006 which would authorize issuance of state bonds for purposes of financing a water quality, watershed protection, and flood management program. Requires voter approval.

STATUS:

04/11/2005 To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

04/11/2005 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.

04/11/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.

Subject: Revenue/Bond, Water

000036

CA AB 802	AUTHOR: Wolk (D) TITLE: Land Use: Water Supply FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/18/2005 LAST AMEND: 04/06/2005 DISPOSITION: Pending LOCATION: Assembly Water, Parks and Wildlife Committee SUMMARY: Requires the land use element of the general plan to consider any urban water management plan prepared and adopted by an urban water supplier that affect the land covered by the general plan. Requires the conservation element of the general plan to cover flood management and to consider, among other things, the existing water supply and the possible means of using flood water to supplement that supply. STATUS: 04/13/2005 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on WATER, PARKS AND WILDLIFE. Subject: Water
CA AB 1128	AUTHOR: Blakeslee (R) TITLE: California Regional Water Quality Control Board Members INTRODUCED: 02/22/2005 DISPOSITION: Pending COMMITTEE: Assembly Elections, Redistricting and Constitutional Amendments Committee HEARING: 04/19/2005 1:30 pm SUMMARY: Authorizes a board member of a regional water quality control board to participate in specified board actions if the actions apply on a regionwide basis, are not decisions in which the board member has a financial interest, and are not actions required to be undertaken pursuant to the federal Clean Water Act. STATUS: 04/12/2005 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on ELECTIONS AND REDISTRICTING. Subject: Water
CA AB 1135	AUTHOR: Dymally (D) TITLE: Water Replenishment District: Replenishment Assessment INTRODUCED: 02/22/2005 DISPOSITION: Pending LOCATION: Assembly Local Government Committee SUMMARY: Requires the board of directors of a water replenishment district, upon making a prescribed determination that funds shall be raised to purchase water for replenishment, to publish a notice that a public hearing will be held on the third Tuesday in April to determine to what extent those costs for the ensuing year will be paid for by means of imposing a water replenishment assessment. STATUS: 03/30/2005 To ASSEMBLY Committee on LOCAL GOVERNMENT. Subject: Water
CA AB 1201	AUTHOR: Laird (D) TITLE: Groundwater Management INTRODUCED: 02/22/2005 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Declares that it is the intent of the Legislature to encourage state and local agencies to work cooperatively to manage groundwater resources. STATUS: 02/22/2005 INTRODUCED. Subject: Water
CA AB 1724	AUTHOR: Villines (R)

000037

TITLE: Water Quality: Reclamation: Excessive Rainfall
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Declares the intent of the Legislature to enact legislation to revise provisions of the law relating to water reclamation to prohibit a regional water quality control board from requiring a holder of a master reclamation permit or a water district to provide plans or water reclamation facilities to reclaim or recycle all water subject to a permit or passing through a water reclamation facility during a period of excessive rainfall.

STATUS:
 02/22/2005 INTRODUCED.
Subject: Water

CA AB 1727

AUTHOR: Aghazarian (R)
TITLE: State Water Resources Control Board and Regional Boards
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: Assembly Environmental Safety and Toxic Materials Committee
SUMMARY:

Requires the State Water Resources Control Board to appoint an executive director and, for each of the regional water quality control boards, an executive officer, all of whom would be exempt from civil service. Reduces the number of members on a regional board, but would not affect the term of a member who serves on a regional board. Revises certain eligibility requirements for membership on a regional board.

STATUS:
 04/04/2005 To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
Subject: Water

CA SB 31

AUTHOR: Florez (D)
TITLE: Water Fees
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 12/09/2004
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:

Revises provisions for making water rights filings with the Water Resources Control Board. Changes the listing of applications subject to the board's schedule of fees. Denominates the fees as transaction fees. Limits the fees to processing costs. Requires adjustments of individual transaction fees. Requires the annual permit or license fees to be imposed based upon the number of acre-feet of water covered by the permit or license.

STATUS:
 01/27/2005 To SENATE Committee on NATURAL RESOURCES AND WATER.
Subject: Water

CA SB 113

AUTHOR: Machado (D)
TITLE: California Bay-Delta Authority Act
INTRODUCED: 01/24/2005
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:

Relates to existing law which requires the California Bay-Delta Authority to review, approve, and make recommendations regarding certain annual program plans and project expenditures submitted by the implementing agencies based on prescribed criteria. Requires the authority, in undertaking that review, approval or modification, to consider the extent to which those plans or expenditures are consistent with the "beneficiary pays principle".

STATUS:
 02/10/2005 To SENATE Committee on NATURAL RESOURCES AND WATER.
Subject: Environment, Water

CA SB 387

AUTHOR: Ducheny (D)
TITLE: New River
INTRODUCED: 02/17/2005

000088

STATUS:	
03/29/2005	From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.
03/29/2005	In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.
03/29/2005	From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass as amended to Committee on APPROPRIATIONS.
Subject:	Water

CA SB 773	AUTHOR:	Cox (R)
	TITLE:	Groundwater Aquifers: Injection Wells
	INTRODUCED:	02/22/2005
	LAST AMEND:	04/04/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Environmental Quality Committee
	HEARING:	04/18/2005 1:30 pm
	SUMMARY:	
		Exempts from the definition of waste, drinking water that is percolated, injected, or otherwise conveyed into storage in a groundwater aquifer for later recovery and use. Directs the Water Resources Control Board and regional boards to encourage projects in which drinking water is injected, percolated or otherwise conveyed into groundwater aquifers for later recovery and use by the public. Authorizes the requirement of certain reports concerning this method of storing public use groundwater.
	STATUS:	
	04/04/2005	From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.
	04/04/2005	In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.
	Subject:	Water

CA SB 820	AUTHOR:	Kuehl (D)
	TITLE:	Water
	INTRODUCED:	02/22/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Natural Resources and Water Committee
	SUMMARY:	
		Requires the Department of Water Resources to prepare and deliver to State Water Project contractors, city and county planning departments, and regional and metropolitan planning departments within the project service area a report that accurately sets forth, under a range of hydrologic conditions, the then existing overall delivery capability of the project facilities and the allocation of that capacity to each contractor.
	STATUS:	
	03/10/2005	To SENATE Committees on NATURAL RESOURCES AND WATER and RULES.
	Subject:	Water

US H 18	SPONSOR:	Baca (D)
	TITLE:	Groundwater Remediation Program
	INTRODUCED:	01/04/2005
	LAST AMEND:	04/12/2005
	DISPOSITION:	Pending
	LOCATION:	SENATE
	SUMMARY:	
		To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long - term groundwater remediation program in California, and for other purposes.

000089

STATUS:		
04/12/2005		In HOUSE. Discharged from HOUSE Committee on RESOURCES.
04/12/2005		In HOUSE. Amended on HOUSE floor.
04/12/2005		In HOUSE. Passed HOUSE. *****To SENATE.
<hr/>		
US H 74	SPONSOR:	Davis Jo (R)
	TITLE:	Federal Water Pollution Control Act
	INTRODUCED:	01/04/2005
	DISPOSITION:	Pending
	LOCATION:	House Transportation & Infrastructure Committee
	SUMMARY:	
	Amends the Federal Water Pollution Control Act to impose limitations on wetlands mitigation activities carried out through the condemnation of private property.	
	STATUS:	
	01/04/2005	INTRODUCED.
	01/04/2005	To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
<hr/>		
US H 122	SPONSOR:	Issa (R)
	TITLE:	Reclamation Wastewater and Groundwater Study
	INTRODUCED:	01/04/2005
	DISPOSITION:	Pending
	LOCATION:	House Resources Committee
	SUMMARY:	
	Amends the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project.	
	STATUS:	
	01/04/2005	INTRODUCED.
	01/04/2005	To HOUSE Committee on RESOURCES.
<hr/>		
US H 125	SPONSOR:	Issa (R)
	TITLE:	Santa Margarita River
	INTRODUCED:	01/04/2005
	DISPOSITION:	Pending
	LOCATION:	Multiple Committees
	SUMMARY:	
	Authorizes the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California, and for other purposes.	
	STATUS:	
	01/04/2005	INTRODUCED.
	01/04/2005	To HOUSE Committee on RESOURCES.
	01/04/2005	Additionally referred to HOUSE Committee on ARMED SERVICES.
<hr/>		
US H 135	SPONSOR:	Linder (R)
	TITLE:	Comprehensive Water Strategy
	INTRODUCED:	01/04/2005
	DISPOSITION:	Pending
	LOCATION:	SENATE
	SUMMARY:	
	Establishes the Twenty-First Century Water Commission to study and develop recommendations for a comprehensive water strategy to address future water needs.	
	STATUS:	
	04/12/2005	In HOUSE. Discharged from HOUSE Committee on RESOURCES.
	04/12/2005	In HOUSE. Discharged from HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
	04/12/2005	In HOUSE. Passed HOUSE. *****To SENATE.
<hr/>		
US H 186	SPONSOR:	Pombo (R)
	TITLE:	Groundwater Remediation Program
	INTRODUCED:	01/04/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Energy and Natural Resources Committee
	SUMMARY:	
	Authorizes the Secretary of the Interior, acting through the Bureau of Reclamation and in	

000090

STATUS:

In SENATE. Read second time.

To SENATE Committee on ENERGY AND NATURAL RESOURCES.

SPONSOR:

TITLE:

INTRODUCED:

DISPOSITION:

LOCATION:

SUMMARY:

STATUS:

INTRODUCED.

To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

000091

MEMO

DATE: April 13, 2005

TO: Administration Committee
Regional Council

FROM: Heather Copp, CFO (213) 236-1804
Email: copp@scag.ca.gov

SUBJECT: Purchase Orders Between \$5,000 - \$25,000

SUMMARY:

SCAG executed the following Purchase Orders between \$5,000 and \$25,000

- The Allen Agency \$20,000.00
Secure Appearance of Dee Dee Myers
Funding Source: General Fund
- Cingular Wireless \$ 7,200.00
Cellular Phone Service
Funding Source: Indirect Overhead
- SAS Institute \$11,626.07
Annual Renewal of SAS Software
Funding Source: Indirect Overhead
- Stanco Signage Systems \$10,228.73
Signage – Cubicle, Wall, and Podium
Funding Source: Indirect Overhead
- The Pierpont Inn & Racquet Club \$15,000.00
Venue for June 2005 RC Retreat
Funding Source: General Fund



Policy Committee Summaries

April 2005

The following summaries contain Action Items under the purview of the respective Committee.

Community, Economic, and Human Development Committee

Item #	Summary
5.1	<p><u>Nomination of Regional Champion Award</u></p> <p>Chair Robertson began the discussion by asking for any other nominees for the Champion Award. Chair Robertson presented copies of resumes for the two nominees Tony Bushala submitted by Supervisor Chris Norby, and Randall W. Lewis submitted by Chair Robertson.</p> <p>Chair Robertson gave a brief description of Mr. Lewis' accomplishment such as his involvement in the Lewis Operating Corp where he is Principal and Executive Vice President. He is currently involed in master planning over a dozen new communities totaling nearly 40,000 residences, as well as schools, parks, and community servicing retail. Chair Robertson is currently on project in the Whittier and throughout Riverside County. Chair Robertson considers Mr. Lewis a developer in the real estate industry but also as a premier planners in the region in terms of looking at smart growth and quality of life in the community.</p> <p><i>It was moved by Mayor Loveridge and seconded by Councilmember Richardson to recommend Regional Council approval of Randall Lewis as the the CEHD nominee for Regional Champion Award.</i></p>

Energy and Environment Committee

Item #	Summary
5.1	<p><u>Solid Waste Conversion Technologies</u></p> <p>Toni Young presented the California Integrated Waste Management Board's Resolution 2005-78 regarding definitions of conversion technologies. She urged the committee to support the resolution and the related state assembly bill 1090.</p> <p><i>The motion was made and approved.</i></p>
5.2	<p><u>Nomination of Regional Champion Award</u></p> <p>Committee nominated Dr. Kay Martin, Vice President, BioEnergy Producers Association.</p>

Policy Committee Summaries

April 2005

The following summaries contain Action Items under the purview of the respective Committee.

Transportation and Communications Committee

Item #	Summary
5.1	<p><u>Nomination of Regional Champion Award</u></p> <p>Four candidates were nominated: Felix Oduyami, Bill Davis, Steve Harrington, and Kerry Cartwright. The TCC felt that it did not have sufficient time to review the qualifications of the candidates and therefore did not nominate an award recipient.</p> <p>No nominee selected for Regional Champion award; TCC requests that item be brought back to TCC in January 2006.</p>
5.2	<p><u>GoCalifornia Legislative Package</u></p> <p>The TCC felt that staff needed to present all bills related to transportation to the committee, in addition to what was being presented. The TCC wanted also to understand how other legislation related to the GoCalifornia package.</p> <p><i>No action taken; staff will return with a more comprehensive review of pending legislation at the May meeting.</i></p>

MEMO

DATE: May 5, 2005
TO: The Regional Council
FROM: Charlotte Pienkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: pienkos@scag.ca.gov
SUBJECT: Presentation by Rusty Selix, CALCOG Executive Director

Mr. Rusty Selix, Executive Director of CALCOG, has been invited to speak to the Regional Council about CALCOG's positions on transportation, housing and environmental legislation under consideration by the State Legislature. Mr. Selix's presentation follows on the recent presentation by Mr. Fred Abousleman, Transportation Director for NARC, at the March meeting. The Regional Council directed staff to continue to bring forward speakers from our partner agencies to highlight areas of concern to SCAG. This presentation is in response to that direction.

CP#109682

000095


REPORT

DATE: May 5, 2005

TO: Administrative Committee / Regional Council

FROM: Janet Henderson, Acting Lead Regional Planner
213-236-1928, henderso@scag.ca.gov

SUBJECT: Fiscal Year 2005-06 Overall Work Program (OWP)

EXECUTIVE DIRECTOR'S APPROVAL: 

RECOMMENDED ACTION:

Reaffirm Resolution #05-461-2 (see attached) supporting the Final Fiscal Year (FY) 2005-06 Overall Work Program and submittal to Caltrans and other funding agencies as necessary for approval.

SUMMARY:

In October 2004, the Regional Council approved priorities for the coming fiscal year. Using the priorities as a guide, project proposals were prepared and a preliminary program was developed. On March 3, 2005, the Regional Council approved the FY 05/06 Comprehensive Budget which included the OWP. That same day, the FY 2005-06 OWP was released for public review and comment with comments due on April 3, 2005. During the comment period, only minor comments were received from a few subregions requesting technical corrections. On April 13, 2005, a comment letter was received from Caltrans. Based on all comments received, the OWP has been revised. Changes to the final document also include revisions to project carryover estimates and additional funding for subregional projects. The final document meets all applicable federal and state requirements.

BACKGROUND:

The OWP contains several sources of revenue. The major source is the Consolidated Planning Grant (CPG) which is the primary revenue used to meet SCAG's MPO requirements and address the Federal Planning Emphasis Areas (PEA's) of Federal and State Departments of Transportation. There are other significant grants included (e.g. Federal Railroad Administration for Maglev and Federal Aviation Administration for aviation planning).

The Fiscal Year 2005-06 Overall Work Program (OWP) is enclosed. The OWP includes the following information:

1. Prospectus – Informational material about SCAG required to be included in the OWP.
2. A detailed program narrative summary and fund source/line item budget for each work element.
3. A fund source summary showing the allocation of the funds by work element. (Program Revenue Table)
4. A line item budget indicating the amount for staff salaries, benefits, direct costs, consultants and subregions. (Program Expenditure Table)

REPORT

5. A fund source summary showing the allocation of funds by work breakdown structure (WBS).
6. SCAG staff allocation by job classification.
7. Appendices including planning programs for other agencies, copies of required certifications and assurances and the FY 2005-06 OWP resolution.

Following is a more detailed discussion of the revenue and program expenditures for the FY 2005-06 OWP.

Revenues:

CPG	\$ 20,426,785
SP&R	\$ 500,000
5313B (pass through)	\$ 759,698
Federal Other	\$ 4,546,324
State Other	\$ 72,000
TDA	\$ 1,345,458
Cash Match	\$ 0
Third Party Commitments	\$ 3,305,334
Local Other	\$ 1,430,092
TOTAL	\$ 32,385,691

Expenditures:

SCAG Operations	\$17,584,449
Consultants*	\$ 9,304,822
Subregions	\$ 1,198,020
Subregion Consultants	\$ 754,067
Other Direct Costs	\$ 238,999
Third Party Commitments	\$ 3,305,334
TOTAL	\$32,385,691

** includes pass through 5313B and federal other projects*

Program

The proposed program budget is designed to accomplish the following objectives:

- To meet Federal and State transportation grant requirements for mandated products.
- To address the Federal transportation emphasis areas and planning factors.
- To address the Priorities established by the Regional Council (approved October 2004). Those priorities are as follows:
 - Transportation Financing
 - 2% Strategy
 - Data / Modeling

FISCAL IMPACT:

The OWP is the instrument that allows SCAG to manage projects and budgets. Approval of this document will continue the flow of federal planning funds for fiscal year 2005-06.

RESOLUTION NUMBER 05-461-2
RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF
GOVERNMENTS TO APPROVE AND ADOPT THE FISCAL YEAR 2005/2006
COMPREHENSIVE BUDGET

WHEREAS, the Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization (MPO) for six counties: Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial;

WHEREAS, SCAG has developed the Fiscal Year (FY) 2005/2006 Comprehensive Budget that includes the following budget components: the General Fund, Overall Work Program (OWP), Indirect Cost Budget (ICAP), and the Fringe Budget;

WHEREAS, the OWP is the basis for SCAG's annual activities;

WHEREAS, in conjunction with the Overall Work Program Agreement and Master Fund Transfer Agreement, the OWP constitutes the annual funding contract between the State of California Department of Transportation (Caltrans) and SCAG for Consolidated Planning Grant (CPG) funding; and,

NOW, THEREFORE, BE IT RESOLVED by the Regional Council of the Southern California Association of Governments, that the Regional Council does hereby approve and adopt the FY 2005/2006 Comprehensive Budget.

BE IT FURTHER RESOLVED:

1. That the Regional Council hereby authorizes submittal of SCAG's approved FY 2005/2006 OWP to the participating State and Federal agencies;
2. That the Regional Council hereby authorizes submittal of SCAG's approved FY 2005/2006 ICAP to the participating State and Federal agencies;
3. That the Regional Council hereby authorizes submittal of SCAG's approved FY 2005/2006 General Fund budget to the General Assembly;
4. That SCAG pledges to pay or secure in cash or services, or both, the matching funds necessary for financial assistance;
5. That the SCAG Executive Director, or in his absence, the Deputy Executive Director, is hereby designated and authorized to submit the FY 2005/2006 OWP, and to execute all related agreements on behalf of the Regional Council, to implement purposes of this Resolution;
6. That the SCAG Executive Director, or in his absence, the Deputy Executive Director, is hereby authorized to make and submit to funding agencies, the necessary work program and budget modifications to the FY 2005/2006 OWP based on actual

7. available funds, and to draw funds as necessary on a letter of credit or other requisition basis;
8. That the Executive Director, or in his absence, the Deputy Executive Director, is hereby authorized to make administrative amendments to the FY 2005/2006 OWP, such as changing work elements or correcting errata.

APPROVED AND ADOPTED by a unanimous vote of the Regional Council of the Southern California Association of Governments at a regular meeting this 3rd day of March, 2005.

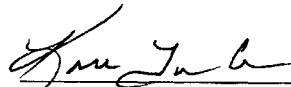


Ron Roberts
President, SCAG
City of Temecula



Mark Pisano
Executive Director

Attest:



Karen Tachiki
SCAG Chief Legal Counsel

REPORT

DATE: May 5, 2005

TO: Regional Council and Administration Committee

FROM: Chief Legal Counsel

SUBJECT: Proposed Memorandum of Understanding Comprehensive Federal Transportation Planning between California Department of Transportation and SCAG.

EXECUTIVE DIRECTOR'S APPROVAL:

RECOMMENDED ACTION:

Authorize the Executive Director to execute the Memorandum of Understanding Comprehensive Federal Transportation Planning.

BACKGROUND:

In September of 2004, Caltrans informed SCAG that the Federal Highway Administration and Federal Transit Administration had requested that Caltrans review the status of Planning Memorandum of Understandings which Caltrans had with the various MPO's in the state. This MOU is required to be in place by federal regulations and FHWA has indicated that updated MOUs must be executed by June 30, 2005. The essential purpose of the MOU is to recognize and define the roles and responsibilities of the MPO and the state in the transportation planning process, including also responsibilities with regard to air quality and conformity. The existing MOU between Caltrans and SCAG was entered into in 1988.

Caltrans established a process by which it coordinated with all the MPO's in an effort to ensure as much consistency in the MOU's as possible. SCAG staff participated in the process and submitted both substantive and procedural comments. Rather than amend the 1988 MOU, Caltrans proposed an entirely new MOU. Amongst other provisions, the MOU recognizes SCAG as the agency responsible for comprehensive regional transportation planning and requires that SCAG utilize a planning process which provides for cooperation and coordination with various identified stakeholders, consultation with Native American Tribal Governments and public participation. The state is to work in partnership with SCAG and participate as a member on the Transportation and Communications Committee. Additionally the MOU identifies certain information and data which is to be provided by the state for SCAG's use and also recognizes SCAG's role as the area-wide clearinghouse to review transportation projects.

SCAG staff has been reviewing the final MOU to ensure that it accurately reflects the roles and responsibilities defined in law and regulation as well as the practical application of those roles and responsibilities. Upon review of the final MOU as proposed by Caltrans, SCAG staff has noted a few technical areas which still require refinement although Caltrans has addressed many of SCAG's previously expressed concerns. Caltrans has requested that SCAG execute the MOU by May 13, 2005. While we have requested an extension of that date in light of the unresolved issues staff is optimistic that the remaining issues can be resolved in the next few weeks. If the issues are not satisfactorily resolved staff will provide an updated report at the May Administrative Committee and Regional Council meeting.

FISCAL IMPACT: No direct fiscal impact.

REPORT

DATE: May 5, 2005

TO: Administrative Committee and Regional Council

FROM: Heather Copp, Chief Financial Officer, (213) 236-1804, copp@scag.ca.gov *HC*

SUBJECT: Approval of Cost Recovery Policy

EXECUTIVE DIRECTOR'S APPROVAL: *J. Huel*

RECOMMENDED ACTION:

The Audit & Best Practices Committee recommends approval of the cost recovery policy.

SUMMARY:

The Audit Committee approved this item back in October of 2004. However, between the time of the Audit Committee meeting and the presentation to the Regional Council, there were significant comments received. The staff has reviewed these comments and incorporated some of them into the revised document. The Audit Committee reviewed the revised document at their April 5, 2005 meeting and recommends approval.

BACKGROUND:

The following is a summary of the revisions since the initial approval of the document by the Audit Committee in October of 2004.

1. Additional language was added in the introduction regarding the need for the policy and a definition of the members and subregions.
2. We added an explanation of how the 20 hours for routine services was derived.
3. We added subregions when speaking about members.
4. In the last paragraph, we added that we would provide the requestor an estimate for the cost of work and hours required to complete the work.
5. We added that this policy would be reviewed annually.

FISCAL IMPACT: *HC*

At this time, we don't expect any additional expenditure of funds above those currently being spent on these services.

Cost Recovery Policy

Background

SCAG staff was asked by the Audit Committee some time ago to develop a policy regarding services performed for a fee. This request resulted from an audit finding regarding fees for service and lack of a policy to address these occurrences. The intent of the policy is to address requests by various parties to provide data, enhanced data, planning, and programming services. Such requests often require additional data processing and analysis above and beyond that information prepared for SCAG's specific needs related to the RTP and TIP. This policy doesn't apply to situations such as general information exchange, presentations, and subregional liaison assistance.

SCAG members are defined in SCAG's bylaws and there are 14 subregions consisting of: IVAG, OCCOG, WRCOG, CVAG, SANBAG, VCOG, Westside Cities, South Bay Cities COG, SGVCOG, North Los Angeles, City of Los Angeles, LVMCOG, Gateway Cities COG, and Arroyo Verdugo Cities COG.

The hours for routine services were determined by reviewing the previous two years of historical requests to determine the maximum time that could be associated with an one SCAG member. This resulted in the 20 hours that is specified below. This policy will guide staff as it considers such requests and will ensure consistency is applied to all of our planning partners.

Purpose

The purpose of this policy is to establish guidelines on how SCAG staff can respond to request for services from various parties with the following objectives:

- Responsiveness to SCAG members and subregions
- Adequate resources for existing work plan projects
- Addressing concerns of SCAG's funding partners

Policy

1. SCAG will offer routine services (20 hours of staff time or under per entity) to our members and subregions during each fiscal year. If a request is made by a non-member, e.g. consultant, who is doing work for a member or subregion, that request must be accompanied by a formal request from the member or subregion for which the consultant is working.
 - The request must be signed by the entity's executive director or planning director.
 - The Information Services Department (ISD) will track all requests.
 - When a request has been fulfilled, the requesting entity will be notified of the work accomplished and the number of hours spent working on the request.

This provision is not to supercede any individual contractual relationships currently in place. SCAG reserves the right to deny any request if resources are not currently available.

2. Beginning with the 2005/2006 OWP, a task will be established under various projects for "Coordination with local agencies for data and modeling". Actual time spent by SCAG staff performing these functions will be charged to those tasks in the OWP as well as fringe, indirect, and direct costs.
3. Services will not be provided to non-SCAG members/ subregions, except in the case of other state or regional organizations, e.g. Metropolitan Water District. Procedures for routine and large requests as identified in paragraphs 1 and 4 apply. These requests would only be done upon review and approval by the ISD Director.
4. Any requests that would exceed the 20 hours described above would be required to be funded by the member or subregion making the request. These requests must be made in writing and approved by the ISD Director. Availability of resources will be a determinate in accepting the work. If this work is accepted, SCAG must amend the Comprehensive Budget to reflect this work and funding source. These projects would be charged with actual SCAG labor, fringe, indirect, and direct costs. SCAG will provide the requestor an estimate for the cost of the work and number of hours required to complete the work.

This policy will be reviewed annually to analyze its effectiveness.

000103

REPORT

DATE: May 5, 2005

TO: Administrative Committee and Regional Council

FROM: Heather Copp, Chief Financial Officer, (213) 236-1804, copp@scag.ca.gov *hc*

SUBJECT: Approve Raising Contract Approval Threshold from \$25,000 to \$250,000

EXECUTIVE DIRECTOR'S APPROVAL: *J. Paul*

RECOMMENDED ACTION:

The Audit and Best Practices Committee is recommending approval to raise the threshold for Administrative Committee and RC approval of contracts from \$25,000 to \$250,000.

SUMMARY:

In order to ensure accurate reporting to the Administrative Committee and Regional Council, a report will continue to be generated and included in the Administrative Committee and Regional Council agenda packet for any procurement \$25,000 and greater. These contracts will be reported to the Administrative Committee and RC under "Receive and File" as they are now for those contracts between \$5,000 to \$25,000, with the exception of the more detailed report. Any contract over \$250,000 will continue to be approved in advance by the Administrative Committee and Regional Council.

BACKGROUND:

As a result of Best Practices, in 2000 the Regional Council began to approve all contracts \$25,000 and over after the selection process and before award of the contract. Since that time, several things have occurred that provide an opportunity to amend that policy.

In FY 2003, SCAG changed its budgeting process to break out the consultant costs from SCAG staff costs. Now all consultant contracts are identified in the budget with a "C". If there are multiple consultants under one project, each consultant is identified with a "C1", "C2", "C3", etc. By approving the budget, the Regional Council is in turn approving the use of consultants for the project. The budget should be the control point for procurement of services.

In addition, the procurement for services would be significantly improved allowing for a more expeditious selection process if changes were made. Currently the driving force in determining the schedule for the selection process is when the RC can approve the award. This creates a situation where response times, panel review, and interview preparation times are reduced as to meet a RC meeting date. This is hampering the quality of our responses and who is responding. Conversely, during the best practice discussion, one of the issues identified was an expedited process for consultant selection. This expedited process is severely diminished when potentially we have to wait six (6) weeks from the day of the completed selection for approval by the Regional Council.

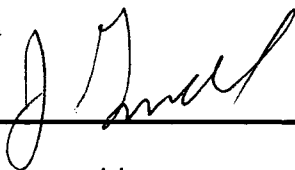
FISCAL IMPACT: *hc*

No fiscal impact.

REPORT

DATE: May 5, 2005
TO: Regional Council
FROM: Charlotte Pienkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: pienkos@scag.ca.gov
SUBJECT: State Transportation Legislation

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION: Adopt or approve positions recommended by the Transportation and Communications Committee

SUMMARY:

On April 7th, the TCC requested staff bring forward the key transportation bills currently under consideration at the Legislature for review and positions. In response to that direction, this report surveys transportation proposals from Governor Schwarzenegger, Assembly Democrats, and Senate Democrats, in addition to two container fees bills for the Ports of Los Angeles and Long Beach and by request, three bills featuring a general obligation bond measure, the organization of the San Diego County Transportation Agency board, and high occupancy vehicle lanes. The TCC was presented today with the following materials and will recommend positions to the Regional Council.

BACKGROUND:

The Governor's "GoCalifornia" Package

AB 850

AUTHOR: Canciamilla (D)

TITLE: Toll Road Agreements

LOCATION: Assembly Transportation Committee

HEARING: 04/25/2005 1:30 pm

SUGGESTED POSITION: Support

- Authorizes Caltrans to enter into 35-year franchise agreements with public and private entities or consortia to develop toll roads, including dedicated truck lanes
- Prohibits the collection of tolls on high occupancy vehicles (HOV) lanes
- Permits the collection of tolls after the termination of a franchise agreement period, subject to approval of the California Transportation Commission
- Requires the state to reimburse the private entity for projected revenue losses if the state makes improvements in a corridor deemed in competition with the toll facilities
- Does not convert existing free lanes into toll lanes

Notes: The adopted 2005 SCAG State and Federal Legislative Program (Legislative Program) supports the use of public-private partnerships and other innovative financing mechanisms. The adopted 2004 Regional Transportation Plan (RTP) supports user fee-supported project financing

for major regional investments like dedicated truck lanes. AB 850's limitation to new construction mirrors the language of the RTP.

ACA 4X

AUTHOR: Keene (R)

TITLE: State Finances

LOCATION: Assembly Budget Process Committee

HEARING: None scheduled.

SUGGESTED POSITION: Support the provisions related to Proposition 42 if amended; no position on budget reform or Proposition 98 provisions

- Places a constitutional amendment before the voters to 1) provide ongoing spending authority in the event of a late budget; 2) make across-the-board spending cuts to prevent General Fund spending from exceeding revenues; 3) change the Proposition 98 minimum funding guarantee for K-14 education; and 4) repeal the authority to suspend Proposition 42 transfers
- Extends the repayment of previously borrowed Proposition 42 funds for fifteen years without an inflationary factor
- Authorizes the state to bond the repayment obligation to generate immediate proceeds to fund transportation projects

Notes: The Legislative Program advocates a constitutional amendment to protect Proposition 42 revenues from reallocation to the General Fund. Similarly, the RTP calls for a constitutional amendment to "ensure Proposition 42 revenue is available when needed." ACA 4X has the Governor's support and would provide the constitutional fix transportation stakeholders have sought for two years, but comes with a price in the form of a likely Proposition 42 suspension in Fiscal Year 2006-2007 unless Governor Schwarzenegger and the Legislature agree to dedicate other revenues, such as those collected in the recent tax amnesty period, to transportation. Furthermore, the fifteen-year repayment does not account for inflation. Support for the firewall must be tempered by these shortcomings. An amendment providing an inflationary factor and protection against a FY 06-07 suspension is needed.

Assembly Democrats' Transportation Proposal

AB: No assigned bill numbers

AUTHOR: Likely to include Assembly Speaker Fabian Nunez, Assembly Majority Leader Dario Frommer, Assembly Transportation Committee Chair Jenny Oropeza, and Assembly Budget Committee Chair John Laird

TITLE, LOCATION, HEARING: Not available

SUGGESTED POSITION: Watch and provide comments

- Eliminates the 11-cent state sales tax on gasoline currently dedicated to transportation projects by Proposition 42
- Raises the state general sales tax by a quarter of a cent, with revenues earmarked for future road projects
- Places a \$10 billion bond on the November 2006 ballot, paid for by gradually raising the motor vehicles fuel tax in stages by 4 cents
- Uses bond proceeds to repay money borrowed from transportation funds in recent years and to pay for the Bay Bridge cost overruns; no word yet on the repayment timeline or repayment with interest

Notes: Assembly Democrats say their proposal, called "Building Opportunity," will invest \$53 billion in new transportation infrastructure projects over the next 30 years. Critics have analogized Building Opportunity to the Legislature's attempt to deregulate electrical power, in which the Legislature cut utility rates and issued bonds that were then repaid through surcharges on future utility bills.

By eliminating the 11-cent sales tax on gasoline, the proposal would essentially repeal Proposition 42, which dedicated these revenues to transportation projects. Notwithstanding the possible objection of voters who passed Proposition 42 just three years ago, the proposal would replace this dedicated sales tax with a combination of increased general sales and motor vehicle fuel taxes. In this shift is the seed of policy change: the 11-cent sales tax on gasoline is more directly linked to transportation consumption and the notion of user-pays than is the general sales tax on everything else. Speaker Nunez's office suggests the general sales tax is a reasonable source of revenue because everyone benefits from a healthy transportation system and the advent of hybrid vehicles will gradually reduce both sales tax on gasoline and motor vehicle fuel tax receipts.

Lastly, the RTP favors the commitment of motor vehicle fuel tax revenues to repay debt instruments issued to raise up-front capital for transportation projects. In this regard, the Assembly Democrats' proposal is somewhat consistent with the RTP. The RTP, however, goes further by contemplating a larger increase in the motor vehicle fuel tax and its use for pay-as-you-go projects.

In total, the Assembly Democrats' proposal represents a policy departure for SCAG but could benefit transportation by repaying borrowed Proposition 42 funds and increasing revenues. Significant debate of the proposal is anticipated throughout the budget negotiations. A position is premature until additional details, such as the nature of the bond, are available.

Senate Democrats' Proposal

SB 1024

AUTHOR: Perata (D)

TITLE: Seismic Improvements: Bond Measure

LOCATION: Senate Transportation and Housing Committee

HEARING: Pending

SUGGESTED POSITION: Watch and provide comments

- Enacts the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 to authorize \$7,688,000,000 in state general obligation bonds
- \$2.3 billion for Proposition 42 loan repayment with interest
- \$2.363 billion for Safe Facilities, entailing \$1.363 (47% of the cost overrun) for the construction the self-anchored suspension (SAS) replacement east span of the San Francisco-Oakland Bay Bridge and \$1 billion for levee roads for flood management
- \$2.5 billion for California Ports Infrastructure, Security and Air Quality Improvement (payable in matching grants)
- Authorizes Caltrans to use bond funds to reimburse other state transportation accounts for costs associated with a re-bid of the SAS contract

000107

Notes: See below.

SB 172

AUTHOR: Torlakson (D)

TITLE: Seismic Retrofit Projects

LOCATION: Senate Appropriations Committee

HEARING: Pending

SUGGESTED POSITION: Watch and provide comments

- Authorizes the Bay Area Toll Authority (BATA) to increase tolls by \$1 and raise \$1.875 billion for the purpose of completing the San Francisco-Oakland Bay Bridge (53% of the cost overrun)
- Consolidates all four dollars of toll revenue under BATA's management so BATA could refinance the toll streams and create additional revenue usable for future overruns without raising the tolls again

Notes: Transportation stakeholders have faced serious difficulties in recent years as dedicated transportation funds have been shifted to the state's General Fund. The need to stabilize transportation funding is urgent. In the past, SCAG has strongly supported efforts to protect Proposition 42 funding. SB 1024's early repayment with interest of \$2.3 billion in borrowed Transportation Investment Fund dollars signals a welcome and growing awareness in the Legislature that transportation funds cannot be diverted indefinitely without negative consequences, but must instead be repaid fairly and soon.

Teamed with SB 172's \$1 increase in Bay Area tolls, SB 1024 also demonstrates an understanding of Southern California's concern that Bay Bridge cost overruns should not unfairly impact Southern California's projects. Likewise, the bill acknowledges the need for goods movement infrastructure improvements in California's major trade corridors. SCAG is a strong proponent of infrastructure improvements to speed the passage of freight away from the Ports of Los Angeles and Long Beach, the third largest port complex in the world, and mitigate the traffic congestion and air pollution that reduces Southern Californians mobility and quality of life.

However, neither the Legislative Program nor the RTP expresses support for the issuance of general obligation bonds for transportation infrastructure projects. Many questions remain about the effect of the \$7.7 billion bond on the General Fund, the advisability of using general obligation bonds to long-term transportation planning, and the nature of the required match for the ports, infrastructure, security and air quality grants.

As with the Assembly Democrats' proposal, SB 1024 represents a policy departure for SCAG but could benefit transportation by repaying borrowed Proposition 42 funds and increasing revenues for ports infrastructure. Significant debate of the proposals is anticipated throughout the budget negotiations.

Ports of Los Angeles (POLA) and Long Beach (POLB)

AB 1406

AUTHOR: Karnette (D)

TITLE: Ports and Harbors: Freight Security Fee

000108

LOCATION: Assembly Transportation Committee

HEARING: 04/25/2005 1:30 pm

SUGGESTED POSITION: Watch and provide comments

On and after January 1, 2007:

- Imposes a fee of \$10 per intermodal freight container on every freight container processed through every port or harbor in the state, including POLA and POLB
- Requires the fee to be paid to the marine terminal operator processing the container by the person contracting for shipment of the container
- Requires each marine terminal operator in the state that processes freight containers to transmit the fees and certain related information to the Office of Homeland Security (OHS) on or before the 10th business day of each month
- Uses fees to establish a grant program to fund proposals from public or private entities to improve freight security at the state's ports and harbors.
- set forth a statement of legislative intent to authorize OHS to issue revenue bonds funded with revenue derived from imposition of the fee to generate additional revenue for the purposes

Notes: Related to then Senator Karnette's September 19, 2001 preprint of SB 1, which proposed the creation of the Southern California Freight Management Agency (SCFMA) to collect a "container facility charge" on each container brought into California south of and including Port Hueneme. SCFMA was also empowered to enter into design-build contracts, contract with railroads, and issue bonds. A statewide program, AB 1406 makes no guarantee funds will be returned to the ports from which the fees are collected. Until the completion of the Port and Modal Elasticity Study this summer, SCAG does not possess the necessary data to determine whether the proposed \$10 fee is adequate, increasable, or likely to adversely affect port migration.

SB 760

AUTHOR: Lowenthal (D)

TITLE: Ports: Congestion Relief: Security Enhancement

LOCATION: Senate Second Reading

SUGGESTED POSITION: Watch and provide comments

- Imposes on each shipping container processed at POLA or POLB a fee of \$30 per twenty-foot equivalent unit (TEU), payable to the port by the marine terminal operator processing the container
- Requires the ports to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 to the California Transportation Commission (CTC) and 1/2 to the South Coast Air Quality Management District
- Requires CTC to use the funds received under these provisions to alleviate congestion on the highways serving the ports by improving the rail system that transports shipments from and to those ports and the on-dock rail facilities at those ports
- Prohibits CTC from using the funds to construct, maintain, or improve highways
- Requires CTC to consult with the transportation commissions for the Counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura in the process for selecting projects for funding
- Requires the ports to use the funds retained as specified above exclusively for the purpose of funding projects to improve the security of the ports, including the screening of shipping containers

- Requires the ports to consult with the United States Coast Guard, the federal Department of Homeland Security, the Office of Homeland Security, and other state and federal agencies that may assist the ports in determining which projects are best suited to protecting the ports and their surrounding communities
- Requires the South Coast Air Quality Management District (SCAQMD) to use the funds to mitigate environmental pollution caused by the movement of cargo to and from the ports via commercial motor vehicles, ocean-going vessels, and rail

Notes: SB 760 favors rail over roads, omitting at least one modality of SCAG's Goods Movement Action Plan. As with AB 1406, until the completion of the Port and Modal Elasticity Study this summer, SCAG does not possess the necessary data to evaluate the port fee. The bill does not include regional transportation planning agencies among those organizations with which the ports must consult. Lastly, SCAQMD may be unable to employ some mitigation measures pre-empted by the state and federal governments.

Miscellaneous Bills

SB 601

AUTHOR: Soto (D)

TITLE: Build California Bond Act of 2006

LOCATION: Senate Transportation and Housing Committee

HEARING: Pending

SUGGESTED POSITION: No position

- Enacts the Build California Bond Act of 2006 to authorize \$3 billion in state general obligation bonds for the construction of highway and public transportation projects that are significant for the state, reduce congestion, provide for safety, and facilitate the movement of goods into, through, and out of state

Notes: Included in this report at the request of the Regional Council. Like Senator Perata's SB 1024, SB 601 is a straight general obligation bond measure, a funding strategy with no expressed SCAG policy support. Because Senator Perata, the President Pro Tempore of the Senate, has introduced SB 1024, Senator Soto has agreed not to pursue this bill.

AB 1552

AUTHOR: La Suer (R)

TITLE: San Diego Consolidated Transportation Agency

LOCATION: Assembly Transportation Committee

HEARING: 04/18/2005 1:30 pm

SUGGESTED POSITION: No position

- Provides that a supervisor that represents a district that is substantially an unincorporated area shall also be appointed to the board
- Provide that when the chair of the San Diego County Board of Supervisors is from a district that is substantially an unincorporated area and is appointed the representative to the board, a supervisor that represents a district that is substantially an incorporated area shall also be appointed to the board

- Provides that the county vote on the board shall remain with the chair, but when a weighted vote is used the vote shall be divided equally between the two members
- Provides county vote and the full weighted vote shall transfer to the sole member present if the other member is absent during a board vote.

Notes: Included in this report at the request of the Regional Council. SCAG traditionally does not comment on the organization of other agencies' boards.

AB 426

AUTHOR: Bogh (R)

TITLE: HOV Lanes

LOCATION: Assembly Second Reading File

RECOMMENDED POSITION: Oppose

- Requires Caltrans to convert all high-occupancy vehicle (HOV) lanes on state highways in Riverside County that currently operate on a 24-hour basis into part-time HOV lanes that operate as mixed-flow lanes except during peak periods

Notes: There are approximately 48 HOV lane-miles within Riverside County. As with most other carpool lanes in the Southern California region, they restrict access to vehicles with two or more occupants on a 24-hour basis. They allow entrance and exit at restricted points only to minimize the danger of cars weaving into and out of lanes. SCAG's 2004 Regional HOV Lane System Performance Study noted that the public overwhelmingly supports the operation of HOV lanes on a 24/7 basis. Increasing congestion patterns through the midday period and on weekends argue strongly for a continuation of the current 24-hour operating policy. Furthermore, the practice of using striped buffers prevents accidents and discourages short trippers from using HOV lanes. Calling it a "local issue," CALCOG recently withdrew its opposition to AB 426 when the bill was limited to Riverside County. RCTC supports in concept.

FISCAL IMPACT:

All work related to adopting the recommended staff action is contained within the adopted FY 04/05 budget and adopted 2005 SCAG Legislative Program and does not require the allocation of any additional financial resources. If enacted, these bills and constitutional amendments could have a favorable impact on transportation funding, but would not directly affect the agency's finances.

ASSEMBLY BILL

No. 850

**Introduced by Assembly Member Canciamilla
(Principal coauthor: Assembly Member Benoit)
(Principal coauthor: Senator Runner)**

February 18, 2005

An act to amend Section 143 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 850, as introduced, Canciamilla. Toll road agreements.

Existing law, until January 1, 2003, authorized the Department of Transportation to solicit proposals and enter into agreements with private entities or consortia for the construction and lease of no more than 2 toll road projects, and specified the terms and requirements applicable to those projects.

This bill would instead authorize the department to enter into comprehensive development franchise agreements with public and private entities or consortia for specified types of transportation projects, as defined, subject to certain requirements and conditions. The bill would authorize tolls to be collected after the termination of a franchise agreement period, subject to approval of the California Transportation Commission. The bill would require a franchise agreement to allow the department to acquire by condemnation or negotiation the financial value of a competing toll facility if the department opens a competitive state facility in the same corridor. The bill would enact other related provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 143 of the Streets and Highways Code
2 is amended to read:

3 143. (a) ~~The Pursuant to Chapter 3 (commencing with~~
4 ~~Section 30800) of Division 17, the department may solicit~~
5 ~~proposals, negotiate, and enter into comprehensive development~~
6 ~~franchise agreements with public and private entities, or~~
7 ~~consortia thereof, for the construction by, and lease to, private~~
8 ~~entities of two public transportation demonstration projects. The~~
9 ~~department shall not enter into an agreement for any new~~
10 ~~proposals under this authority after January 1, 2003. As used in~~
11 ~~this section, "transportation projects" means (1) shared~~
12 ~~high-occupancy vehicle (HOV) lanes where HOVs are permitted~~
13 ~~free passage, (2) dedicated exclusive truck lanes, (3) mixed-flow~~
14 ~~toll lanes and free lanes, and (4) toll lanes for all vehicles other~~
15 ~~than HOVs.~~

16 (b) For the purpose of facilitating those transportation
17 projects, the agreements *between the parties* may include
18 provisions for *limiting the department from initiating the opening*
19 *to traffic of new competing state highway facilities within the*
20 *same transportation corridor, for the lease of rights-of-way in,*
21 *and airspace over or under, these state highways, for the granting*
22 *of necessary easements, and for the issuance of permits or other*
23 *authorizations to enable the private entity to construct the*
24 *construction of transportation facilities supplemental to existing*
25 *state-owned and operated transportation facilities. Facilities*
26 *constructed by a private an entity pursuant to an agreement*
27 *under this section shall, at all times, be owned by the state*
28 *department as an operational part of the state highway system.*
29 The agreement shall provide for the lease of those facilities to the
30 *private franchised* entity for up to 35 years *to recover private*
31 *investments in the form of expended funds together with a*
32 *reasonable rate of return on those funds, negotiated by the*
33 *department with the contracting entity.* In consideration therefor,
34 the agreement shall provide for complete reversion of the
35 privately constructed facility *and the right to collect tolls to the*
36 *state department and any other government entity participating*
37 *in the funding of the project, if any, at the expiration of the lease*
38 *at no charge to the state department or other governmental entity.*

1 (c) The department may exercise any power possessed by it
2 with respect to the development and construction of state
3 transportation projects to facilitate the development and
4 construction of transportation *toll* projects *initiated* pursuant to
5 this section. Agreements for maintenance and police services
6 entered into pursuant to this section ~~shall may~~ provide for ~~full~~
7 *some form of negotiated* reimbursement for services rendered by
8 the department ~~or and~~ other state agencies. The department may
9 provide services for which it is reimbursed with respect to
10 preliminary planning, environmental certification *and review*,
11 *and* preliminary design, *design, right-of-way acquisition, and*
12 *construction of the demonstration these transportation* projects.

13 (d) (1) Agreements entered into pursuant to this section shall
14 authorize the ~~private contracting~~ entity to impose tolls for use of
15 a facility constructed by it, and shall require that over the term of
16 the ~~lease franchise~~, that the toll revenues *will* be applied to
17 payment of *some or all of the private entity's* capital outlay costs
18 for the project, the costs associated with operations, toll
19 collection, administration of the facility, reimbursement to the
20 *state department or other governmental entity* for the costs of
21 ~~maintenance and services to develop and maintain the project~~,
22 police services, and a reasonable return on investment to the
23 private entity. The agreement shall require that any excess toll
24 revenue either be applied to any indebtedness incurred by the
25 private entity with respect to the project or be paid into the State
26 Highway Account, or both.

27 (2) ~~The authority to collect~~ *collection of* tolls for the use of
28 these facilities ~~shall terminate may be extended by the~~
29 *commission* at the expiration of the franchise agreement.

30 (e) The plans and specifications for each *transportation*
31 project constructed pursuant to this section shall comply with the
32 department's *then-existing* standards for *similar* state
33 transportation projects. A facility constructed by and leased to a
34 ~~private another~~ entity shall, during the term of the lease, be
35 deemed to be a part of the state highway system for purposes of
36 identification, maintenance, enforcement of traffic laws, and for
37 the purposes of Division 3.6 (commencing with Section 810) of
38 Title 1 of the Government Code.

1 (f) The assignment authorized by subdivision (c) of Section
2 130240 of the Public Utilities Code is consistent with this
3 section.

4 (g) *Each franchise agreement entered into by the department*
5 *shall include provisions authorizing the department to open*
6 *competitive facilities to traffic within the designated corridor*
7 *subject to the department exercising its police power to either*
8 *acquire by condemnation or negotiation the remaining net fair*
9 *market capitalized value of the toll franchise period equivalent to*
10 *the projected lost annual income for the remaining term of the*
11 *competition protection afforded by that agreement. The annual*
12 *payments shall be determined by a projection of the average*
13 *increase of net income over the previous five years of tolled*
14 *operations, or less than five years if there have not been a full*
15 *five years of consecutive operations of the facility. To the extent*
16 *that the toll facility does not suffer a loss of net income*
17 *equivalent to that projected in each year, the sum paid at the end*
18 *of that fiscal year on June 30 shall be adjusted so that the*
19 *department's payments are reduced accordingly.*

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AMENDED IN ASSEMBLY APRIL 11, 2005

AMENDED IN ASSEMBLY FEBRUARY 24, 2005

CALIFORNIA LEGISLATURE—2005—06 FIRST EXTRAORDINARY SESSION

Assembly Constitutional Amendment

No. 4

Introduced by Assembly Member Keene

January 20, 2005

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 10 and 12 of Article IV thereof, by amending Section 6 of Article XIII B thereof, by amending Section 8 of Article XVI thereof, by amending Section 6 of Article XIX thereof, by repealing Section 1 of Article XIX A thereof, and by amending Section 1 of Article XIX B thereof, relating to state finance.

LEGISLATIVE COUNSEL'S DIGEST

ACA 4, as amended, Keene. State finances.

(1) The California Constitution provides, commencing in the 2004–05 fiscal year, that if, following the enactment of the annual Budget Bill, the Governor determines either that General Fund revenues will decline substantially below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase substantially above that estimate of General Fund revenues, or both, the Governor is authorized to issue a proclamation declaring a fiscal emergency and is thereupon required to cause the Legislature to assemble in special session. These provisions require that the proclamation identify the nature of the fiscal emergency and be accompanied by proposed legislation to address the fiscal emergency. If the Legislature fails to

pass and send to the Governor a bill or bills to address the fiscal emergency by the 45th day following the issuance of the proclamation, the Legislature is prohibited from acting on any other bills and may not adjourn for a joint recess, until that bill or those bills have been passed and sent to the Governor. Existing law also provides for a Budget Stabilization Account into which the Controller is required to transfer specified sums of General Fund moneys, for use as specified.

This measure would require, rather than authorize, the Governor to issue a proclamation declaring a fiscal emergency, and specify that the proclamation would be issued when the Governor determines that the sum of General Fund expenditures and the amount of General Fund moneys transferred to the Budget Stabilization Account for a fiscal year will exceed General Fund revenues for that fiscal year by at least \$250,000,000, adjusted to reflect the rate of inflation shown in the California consumer price index as determined by the Director of Finance. The measure would also require, as an additional consequence if the Legislature fails to pass a bill or bills to address the fiscal emergency by the 45th day, or under specified circumstances, by the 30th day, that reductions be imposed, on a pro rata basis, on all General Fund appropriations enacted on or before the date of the proclamation, by a percentage estimated by the Director of Finance to cause total General Fund expenditures not to exceed General Fund revenues by the end of that fiscal year, with specified exceptions. It would specify that benefits and services, including any entitlement created by state law, shall be provided at a level or in an amount consistent with the reduction in payment required under these provisions. It would additionally require the amount of certain payments calculated pursuant to state law to be reduced as necessary to reflect the reduction in General Fund appropriations, and would require any local funds that are required to be expended, as a condition of the availability of state funds under that calculation, to be similarly reduced by the local entity. The reduction authority created pursuant to these provisions would apply until the effective date, no later than the end of that fiscal year, of a proclamation issued by the Governor declaring the end of the fiscal emergency.

(2) Existing provisions of the California Constitution authorize the Governor and the Governor-elect to require a state agency, officer, or employee to furnish whatever information is necessary to prepare the state budget.

This measure would specifically require the Director of Finance to advise the Governor on the current status of state revenues and expenditures at least quarterly, and at the beginning of any fiscal year for which a Budget Bill has not been enacted.

(3) Existing provisions of the California Constitution require the Legislature to pass the Budget Bill by midnight on June 15 of each year.

This measure would provide, for the 2005–06 fiscal year, and any subsequent fiscal year, that if the Budget Bill is not enacted by July 1, amounts equal to the amounts appropriated by the items of appropriation in the Budget Act and any amendments to the Budget Act for the immediately preceding fiscal year would be appropriated, as specified, until a Budget Bill for the new fiscal year is enacted, subject to any applicable expenditure reductions. While this spending authority is in effect for a fiscal year, the measure would limit the amount of any continuous appropriation from the General Fund, including State School Fund moneys, to the amount apportioned for those continuous appropriations for the prior fiscal year. It would specify that when an appropriation under these provisions is insufficient to fully fund an entitlement created by state law, the entitlement shall be deemed to be limited to the amount of funds appropriated, as specified.

(4) Existing provisions of the California Constitution and various statutes authorize the loan to the General Fund of moneys in specified funds and accounts, including loans from the Public Transportation Account in the State Transportation Fund.

This measure would, on and after July 1, 2006, prohibit the transfer of funds from a special fund to the General Fund as a loan, with specified exceptions. Any funds that were transferred prior to that date from a special fund to the General Fund for the purpose of making a loan to the General Fund and that have not been repaid to that special fund by July 1, 2006, would be required to be repaid to that special fund by July 1, 2021.

(5) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. The California Constitution provides that payable claims for costs incurred prior to the 2004–05 fiscal year that have not been paid prior to the 2005–06 fiscal year may be paid over a term of years, as

prescribed by law. Existing statutory law provides that these claims be paid over a period not to exceed 5 years.

This measure would provide that the term of years over which payable claims shall be paid shall not exceed 15 years.

(6) Existing provisions of the California Constitution require that specified state funds be applied annually for the support of school districts and community college districts in an amount not less than the greater of the amounts calculated under 3 different tests: (a) the amount that as a percentage of General Fund revenues appropriated for school districts and community college districts is equal to the percentage of General Fund revenues appropriated for that purpose in the 1986–87 fiscal year (Test 1), (b) the amount required to ensure that the total allocations to school districts and community college districts from General Fund proceeds of taxes and allocated local proceeds of taxes are not less than the total amount from these sources in the prior fiscal year adjusted for changes in enrollment and cost of living, operative only in a fiscal year in which the percentage growth in per capita personal income is less than or equal to the percentage growth in per capita General Fund revenues plus 0.5% (Test 2), or (c) the amount calculated pursuant to Test 2, but adjusted for changes in enrollment and the change in per capita General Fund revenues, operative only when the percentage growth in per capita personal income is greater than the percentage growth in per capita General Fund revenues plus 0.5% (Test 3).

Existing provisions of the California Constitution also permit the suspension of these provisions by the Legislature, with certain requirements, and provide that school districts or community college districts are entitled to a maintenance factor, as specified, if these provisions are suspended by the Legislature, or if funding of the public education system is computed pursuant to Test 3, as described above.

This measure would repeal the provisions setting forth Test 3 as an alternative calculation to be used in determining the minimum annual amount required to be appropriated for the support of school districts and community college districts, would repeal the authority to suspend the requirement to appropriate that minimum annual funding guarantee, and would repeal the related provisions providing for maintenance factors. This measure would require that the total outstanding amount of any maintenance factors under the repealed provisions be repaid in total no later than July 1, 2021, and that the

amount of that repayment be excluded from consideration in calculating the minimum funding guarantee for the 2005–06 fiscal year, and any subsequent fiscal year.

This measure would provide, as specified, that appropriations made for the 2005–06 fiscal year, or any subsequent fiscal year, that exceed the minimum funding guarantee for that fiscal year are excluded from consideration in calculating the minimum funding guarantee for any subsequent fiscal year, as determined under Test 2.

This measure would require any balance of amounts that were required to be allocated under the existing minimum annual funding guarantee for the 2003–04 fiscal year or any preceding fiscal year, but that were not allocated as of the effective date of this measure, to be repaid in total, on a specified allocated basis, within 15 years from that date.

This measure would further provide that the balance of any amounts required under the annual funding guarantee to be allocated to school districts and community college districts for the 2004–05 fiscal year, or any subsequent fiscal year, that was not allocated prior to the end of that fiscal year is continuously appropriated to the Controller from the General Fund for allocation to school districts and community college districts upon the certification of the final data necessary for the calculation of the annual funding guarantee by the Department of Finance and the Superintendent of Public Instruction, subject to certain requirements. The measure would permit the Legislature to require a school district or community college district to use those funds for a specified purpose.

(7) Existing provisions of the California Constitution require sales taxes on motor vehicle fuel that are deposited in the General Fund to be transferred to the Transportation Investment Fund for allocation to various transportation purposes. These provisions authorize the transfer of these revenues to the Transportation Investment Fund to be suspended, in whole or in part, for a fiscal year during a fiscal emergency pursuant to a proclamation issued by the Governor and the enactment of a statute by a $\frac{2}{3}$ vote of both houses of the Legislature, if the statute does not contain any unrelated provision.

This measure instead would provide that the transfer of revenues from the General Fund to the Transportation Investment Fund may be suspended, in whole or in part, and subject to these conditions, for any fiscal year preceding the 2007–08 fiscal year.

The measure would also require that the total amount, as of July 1, 2007, of revenues that were not transferred from the General Fund to the Transportation Investment Fund because of a suspension pursuant to these provisions be repaid to the Transportation Investment Fund no later than June 30, 2022, and that until the total amount has been repaid, the amount of repayment to be made in each fiscal year shall not be less than $\frac{1}{15}$ of the total amount due. It would authorize the Legislature to provide by statute for the issuance of bonds secured by these payments, with the proceeds to be used for purposes consistent with the provisions governing the Transportation Investment Fund, and for costs associated with the issuance and sale of the bonds.

(8) This measure would declare that its provisions are severable, and that any invalidity of one of its provisions or applications shall not affect other provisions or applications that can be given effect without the invalid provision or application.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

1 *Resolved by the Assembly, the Senate concurring,* That the
2 Legislature of the State of California at its 2005–06 Regular
3 Session commencing on the sixth day of December 2004,
4 two-thirds of the membership of each house concurring, hereby
5 proposes to the people of the State of California, that the
6 Constitution of the State be amended as follows:

7 First—That Section 10 of Article IV thereof is amended to
8 read:

9 SEC. 10. (a) Each bill passed by the Legislature shall be
10 presented to the Governor. It becomes a statute if it is signed by
11 the Governor. The Governor may veto it by returning it with any
12 objections to the house of origin, which shall enter the objections
13 in the journal and proceed to reconsider it. If each house then
14 passes the bill by rollcall vote entered in the journal, two-thirds
15 of the membership concurring, it becomes a statute.

16 (b) (1) Any bill, other than a bill which would establish or
17 change boundaries of any legislative, congressional, or other
18 election district, passed by the Legislature on or before the date
19 the Legislature adjourns for a joint recess to reconvene in the
20 second calendar year of the biennium of the legislative session,
21 and in the possession of the Governor after that date, that is not
22 returned within 30 days after that date becomes a statute.

1 (2) Any bill passed by the Legislature before September 1 of
2 the second calendar year of the biennium of the legislative
3 session and in the possession of the Governor on or after
4 September 1 that is not returned on or before September 30 of
5 that year becomes a statute.

6 (3) Any other bill presented to the Governor that is not
7 returned within 12 days becomes a statute.

8 (4) If the Legislature by adjournment of a special session
9 prevents the return of a bill with the veto message, the bill
10 becomes a statute unless the Governor vetoes the bill within 12
11 days after it is presented by depositing it and the veto message in
12 the office of the Secretary of State.

13 (5) If the 12th day of the period within which the Governor is
14 required to perform an act pursuant to paragraph (3) or (4) of this
15 subdivision is a Saturday, Sunday, or holiday, the period is
16 extended to the next day that is not a Saturday, Sunday, or
17 holiday.

18 (c) Any bill introduced during the first year of the biennium of
19 the legislative session that has not been passed by the house of
20 origin by January 31 of the second calendar year of the biennium
21 may no longer be acted on by the house. No bill may be passed
22 by either house on or after September 1 of an even-numbered
23 year except statutes calling elections, statutes providing for tax
24 levies or appropriations for the usual current expenses of the
25 State, and urgency statutes, and bills passed after being vetoed by
26 the Governor.

27 (d) The Legislature may not present any bill to the Governor
28 after November 15 of the second calendar year of the biennium
29 of the legislative session.

30 (e) The Governor may reduce or eliminate one or more items
31 of appropriation while approving other portions of a bill. The
32 Governor shall append to the bill a statement of the items
33 reduced or eliminated with the reasons for the action. The
34 Governor shall transmit to the house originating the bill a copy of
35 the statement and reasons. Items reduced or eliminated shall be
36 separately reconsidered and may be passed over the Governor's
37 veto in the same manner as bills.

38 (f) (1) If the Governor determines that the sum of General
39 Fund expenditures and the amount of General Fund moneys
40 transferred to the Budget Stabilization Account pursuant to

1 Section 20 of Article XVI for a fiscal year will exceed General
2 Fund revenues for that fiscal year by at least two hundred fifty
3 million dollars (\$250,000,000), adjusted to reflect the rate of
4 inflation shown in the California consumer price index as
5 determined by the Director of Finance, the Governor shall issue a
6 proclamation declaring a fiscal emergency and shall thereupon
7 cause the Legislature to assemble in special session for this
8 purpose. The proclamation shall identify the nature of the fiscal
9 emergency and shall be submitted by the Governor to the
10 Legislature, accompanied by proposed legislation to address the
11 fiscal emergency.

12 (2) If the Legislature fails to pass and send to the Governor a
13 bill or bills to address the fiscal emergency by the 45th day
14 following the issuance of the proclamation, or the 30th day if
15 appropriation authority is currently provided pursuant to
16 subdivision (g) of Section 12, all of the following shall occur:

17 (A) The Legislature may not act on any other bill, nor may the
18 Legislature adjourn for a joint recess, until that bill or those bills
19 have been passed and sent to the Governor.

20 (B) (i) Notwithstanding any other provision of this
21 Constitution, all General Fund appropriations enacted on or
22 before the date of the issuance of the proclamation shall be
23 reduced, on a pro rata basis, by that percentage that the Director
24 of Finance estimates will cause total General Fund expenditures,
25 and the amount of any General Fund moneys transferred to the
26 Budget Stabilization Account for that fiscal year pursuant to
27 Section 20 of Article XVI, not to exceed General Fund revenues
28 by the end of that fiscal year. The Controller shall implement this
29 subparagraph by applying the percentage estimated by the
30 Director of Finance to every payment of General Fund moneys in
31 a warrant that is issued under the authority of any affected
32 appropriation. Benefits and services, including any entitlement
33 created by state law, shall be provided at a level or in an amount
34 consistent with the reduction in payment required under this
35 subparagraph. In addition, the amount of any payment that is
36 calculated pursuant to state law, and issued by a government
37 entity, including a local government agency, other than the
38 Controller, shall, to the extent funded from the General Fund of
39 the state, be reduced by the same percentage that payment of
40 General Fund moneys are reduced pursuant to this subparagraph,

1 and any local funds that are required to be expended as a
2 condition of the availability of state funds under that calculation
3 shall be similarly reduced by the local entity.

4 (ii) This subparagraph shall not apply to a payment required
5 by the United States Constitution, or to a payment required to
6 meet obligations with respect to state bonded indebtedness.

7 (iii) Notwithstanding any other provision of this Constitution,
8 this subparagraph shall apply to any General Fund payment made
9 with respect to any contract, collective bargaining agreement, or
10 other entitlement under law for which liability of the State to pay
11 arises on or after the effective date of the measure that added this
12 subparagraph. This subparagraph shall be deemed to be included
13 in every contract or other agreement to which the State is a party
14 and any provision of state law under which the State is to make
15 any payment.

16 (iv) The reduction authority set forth in this subparagraph
17 applies until the effective date, no later than the end of that fiscal
18 year, of a proclamation issued by the Governor declaring the end
19 of the fiscal emergency.

20 (3) A bill addressing the fiscal emergency declared pursuant to
21 this section shall contain a statement to that effect.

22 Second—That Section 12 of Article IV thereof is amended to
23 read:

24 SEC. 12. (a) Within the first 10 days of each calendar year,
25 the Governor shall submit to the Legislature, with an explanatory
26 message, a budget for the ensuing fiscal year containing itemized
27 statements for recommended state expenditures and estimated
28 state revenues. If recommended expenditures exceed estimated
29 revenues, the Governor shall recommend the sources from which
30 the additional revenues should be provided.

31 (b) (1) The Governor and the Governor-elect may require a
32 state agency, officer, or employee to furnish whatever
33 information is deemed necessary to prepare the budget.

34 (2) The Director of Finance shall advise the Governor on the
35 current status of state revenues and expenditures at least
36 quarterly, and at the beginning of any fiscal year for which a
37 budget bill has not been enacted.

38 (c) (1) The budget shall be accompanied by a budget bill
39 itemizing recommended expenditures.

1 (2) The budget bill shall be introduced immediately in each
2 house by the persons chairing the committees that consider the
3 budget.

4 (3) The Legislature shall pass the budget bill by midnight on
5 June 15 of each year.

6 (4) Until the budget bill has been enacted, the Legislature shall
7 not send to the Governor for consideration any bill appropriating
8 funds for expenditure during the fiscal year for which the budget
9 bill is to be enacted, except emergency bills recommended by the
10 Governor or appropriations for the salaries and expenses of the
11 Legislature.

12 (d) No bill except the budget bill may contain more than one
13 item of appropriation, and that for one certain, expressed
14 purpose. Appropriations from the General Fund of the State,
15 except appropriations for the public schools, are void unless
16 passed in each house by rollcall vote entered in the journal,
17 two-thirds of the membership concurring.

18 (e) The Legislature may control the submission, approval, and
19 enforcement of budgets and the filing of claims for all state
20 agencies.

21 (f) For the 2004–05 fiscal year, or any subsequent fiscal year,
22 the Legislature may not send to the Governor for consideration,
23 nor may the Governor sign into law, a budget bill that would
24 appropriate from the General Fund, for that fiscal year, a total
25 amount that, when combined with all appropriations from the
26 General Fund for that fiscal year made as of the date of the
27 budget bill's passage, and the amount of any General Fund
28 moneys transferred to the Budget Stabilization Account for that
29 fiscal year pursuant to Section 20 of Article XVI, exceeds
30 General Fund revenues for that fiscal year estimated as of the
31 date of the budget bill's passage. That estimate of General Fund
32 revenues shall be set forth in the budget bill passed by the
33 Legislature.

34 (g) For the 2005–06 fiscal year, or any subsequent fiscal year,
35 if the budget bill is not enacted prior to July 1, as of that date
36 amounts equal to the amounts appropriated by each of the items
37 of appropriation in the Budget Act and any amendments to the
38 Budget Act for the immediately preceding fiscal year are hereby
39 appropriated for the current fiscal year in the same proportions,
40 for the same purposes, from the same funding sources, and under

1 the same conditions that apply to those items under that Budget
2 Act or amendment to the Budget Act. When an appropriation
3 made pursuant to this subdivision is insufficient to fully fund an
4 entitlement created by state law during the portion of the fiscal
5 year for which this subdivision is operative, the entitlement shall
6 be deemed limited, for that portion of the fiscal year, to the
7 amount of funds appropriated pursuant to this subdivision for that
8 purpose. The appropriation authority set forth in this subdivision
9 applies until the effective date of the Budget Act for that fiscal
10 year. For so long as the appropriation authority set forth in this
11 subdivision applies to a fiscal year, the amount of any continuous
12 appropriation from the General Fund of the State for that fiscal
13 year, including the continuous appropriation from the State
14 School Fund pursuant to Section 6 of Article IX, shall not exceed
15 the amount appropriated pursuant to that continuous
16 appropriation for the immediately preceding fiscal year.

17 (h) (1) On and after July 1, 2006, funds may not be
18 transferred from a special fund to the General Fund as a loan.
19 Any funds transferred prior to that date from a special fund to the
20 General Fund for the purpose of making a loan to the General
21 Fund and not repaid to that special fund by July 1, 2006, shall be
22 repaid to that special fund no later than July 1, 2021.

23 (2) The prohibition contained in this subdivision does not
24 apply to loans made for the purpose of meeting the short-term
25 cashflow needs of the State if any amount owed is to be repaid in
26 full to the fund from which it was borrowed prior to the date
27 when the transfer would interfere with the carrying out of any
28 object for which the special fund was created.

29 Third—That Section 6 of Article XIII B thereof is amended to
30 read:

31 SEC. 6. (a) Whenever the Legislature or any state agency
32 mandates a new program or higher level of service on any local
33 government, the State shall provide a subvention of funds to
34 reimburse that local government for the costs of the program or
35 increased level of service, except that the Legislature may, but
36 need not, provide a subvention of funds for the following
37 mandates:

38 (1) Legislative mandates requested by the local agency
39 affected.

1 (2) Legislation defining a new crime or changing an existing
2 definition of a crime.

3 (3) Legislative mandates enacted prior to January 1, 1975, or
4 executive orders or regulations initially implementing legislation
5 enacted prior to January 1, 1975.

6 (b) (1) Except as provided in paragraph (2), for the 2005–06
7 fiscal year and every subsequent fiscal year, for a mandate for
8 which the costs of a local government claimant have been
9 determined in a preceding fiscal year to be payable by the State
10 pursuant to law, the Legislature shall either appropriate, in the
11 annual Budget Act, the full payable amount that has not been
12 previously paid, or suspend the operation of the mandate for the
13 fiscal year for which the annual Budget Act is applicable in a
14 manner prescribed by law. A reduction in an appropriation
15 pursuant to subparagraph (B) of paragraph (2) of subdivision (f)
16 of Section (10) of Article IV shall not be deemed to reduce the
17 reimbursement amount to which a local agency is entitled
18 pursuant to this section.

19 (2) Payable claims for costs incurred prior to the 2004–05
20 fiscal year that have not been paid prior to the 2005–06 fiscal
21 year shall be paid over a term of not more than 15 years, as
22 prescribed by law.

23 (3) Ad valorem property tax revenues shall not be used to
24 reimburse a local government for the costs of a new program or
25 higher level of service.

26 (4) This subdivision applies to a mandate only as it affects a
27 city, county, city and county, or special district.

28 (5) This subdivision shall not apply to a requirement to
29 provide or recognize any procedural or substantive protection,
30 right, benefit, or employment status of any local government
31 employee or retiree, or of any local government employee
32 organization, that arises from, affects, or directly relates to future,
33 current, or past local government employment and that
34 constitutes a mandate subject to this section.

35 (c) A mandated new program or higher level of service
36 includes a transfer by the Legislature from the State to cities,
37 counties, cities and counties, or special districts of complete or
38 partial financial responsibility for a required program for which
39 the State previously had complete or partial financial
40 responsibility.

1 Fourth—That Section 8 of Article XVI thereof is amended to
2 read:

3 SEC. 8. (a) From all state revenues there shall first be set
4 apart the moneys to be applied by the State for support of the
5 public school system and public institutions of higher education.

6 (b) Commencing with the 1990–91 fiscal year, the moneys to
7 be applied by the State for the support of school districts and
8 community college districts shall be not less than the greater of
9 either of the following amounts:

10 (1) The amount that, as a percentage of General Fund revenues
11 that may be appropriated pursuant to Article XIII B, equals the
12 percentage of General Fund revenues appropriated for school
13 districts and community college districts, respectively, in the
14 1986–87 fiscal year.

15 (2) The amount required to ensure that the total allocations to
16 school districts and community college districts from General
17 Fund proceeds of taxes appropriated pursuant to Article XIII B
18 and allocated local proceeds of taxes are not less than the total
19 amount from these sources in the prior fiscal year, excluding any
20 revenues allocated pursuant to subdivision (a) of Section 8.5,
21 adjusted for changes in enrollment and adjusted for the change in
22 the cost of living pursuant to paragraph (1) of subdivision (e) of
23 Section 8 of Article XIII B.

24 (c) In any fiscal year, if the amount computed pursuant to
25 paragraph (1) of subdivision (b) exceeds the amount computed
26 pursuant to paragraph (2) of subdivision (b) by a difference that
27 exceeds one and one-half percent of General Fund revenues, the
28 amount in excess of one and one-half percent of General Fund
29 revenues shall not be considered allocations to school districts
30 and community colleges for purposes of computing the amount
31 of state aid pursuant to paragraph (2) of subdivision (b) in the
32 subsequent fiscal year.

33 (d) If, for the 2005–06 fiscal year, or any subsequent fiscal
34 year, an amount is appropriated for the support of school districts
35 and community college districts in excess of the minimum
36 amount required to be appropriated for that fiscal year pursuant
37 to subdivision (b), the excess amount so appropriated shall not be
38 deemed an allocation to school districts and community college
39 districts for purposes of calculating the moneys to be applied by

1 the State for the support of those entities for any subsequent
2 fiscal year pursuant to paragraph (2) of subdivision (b).

3 (e) (1) The total amount of any outstanding maintenance
4 factors, arising pursuant to former subdivision (d) for one or
5 more fiscal years preceding the 2005–06 fiscal year, shall be
6 repaid no later than July 1, 2021. ~~The repayment of any~~
7 ~~maintenance factor pursuant to this paragraph for any fiscal year~~
8 ~~shall be divided between school districts and community college~~
9 ~~districts in the same proportion that allocations for that fiscal~~
10 ~~year that were made prior to the effective date of the measure~~
11 ~~that added this subdivision were apportioned to school districts~~
12 ~~and community college districts. The payment of a maintenance~~
13 ~~factor amount in the 2005–06 fiscal year, or any subsequent~~
14 ~~fiscal year, shall not be deemed an allocation to school districts~~
15 ~~and community college districts for purposes of calculating the~~
16 ~~moneys to be applied by the State for the support of those entities~~
17 ~~for any subsequent fiscal year pursuant to paragraph (2) of~~
18 ~~subdivision (b).~~

19 (2) The balance of any amounts that were required by this
20 section to be allocated to school districts and community college
21 districts for the 2003–04 fiscal year, or any preceding fiscal year,
22 but were not allocated as of the effective date of the measure that
23 added this subdivision, shall be allocated no later than 15 years
24 following that date. ~~The total amount of augmentations allocated~~
25 ~~pursuant to this paragraph for any fiscal year shall be divided~~
26 ~~between school districts and community college districts in the~~
27 ~~same proportion that allocations for that fiscal year that were~~
28 ~~made prior to the effective date of the measure that added this~~
29 ~~subdivision were apportioned to school districts and community~~
30 ~~college districts.~~

31 (3) (A) The balance of any amounts that are required by this
32 section to be allocated to school districts and community college
33 districts, for the 2004–05 fiscal year, or any subsequent fiscal
34 year, but are not allocated as of the end of that fiscal year, are
35 continuously appropriated to the Controller from the General
36 Fund of the State for allocation to school districts and community
37 college districts upon the certification by the Department of
38 Finance and the Superintendent of Public Instruction of the final
39 data necessary to perform the calculations required pursuant to
40 subdivision (b). That certification shall be completed within 24

1 months subsequent to the end of the fiscal year. ~~The amount~~
2 ~~appropriated pursuant to this paragraph shall be divided between~~
3 ~~school districts and community college districts in the same~~
4 ~~proportion that allocations were made during that fiscal year to~~
5 ~~school districts and community college districts.~~

6 (B) The Legislature may require, in the Budget Act or any
7 other statute, that a school district or community college district
8 use funds allocated pursuant to this paragraph for a specified
9 purpose.

10 (4) (A) *The amounts appropriated pursuant to this subdivision*
11 *shall be allocated to school districts, respectively, and*
12 *community college districts in a manner that reflects the*
13 *proportion of regular average daily attendance in school*
14 *districts, as defined by statute on the effective date of the*
15 *measure that added this paragraph, to funded full-time*
16 *equivalent students in community college districts, as those*
17 *numbers are reported at the time of the second principal*
18 *apportionment for the fiscal year prior to the fiscal year in which*
19 *funds are to be received.*

20 (B) *The Controller shall allocate funds annually appropriated*
21 *pursuant to this subdivision to school districts and community*
22 *college districts based on attendance information provided by the*
23 *State Department of Education and the Chancellor of the*
24 *California Community Colleges on August 15 of each year*
25 *commencing with the 2006–07 fiscal year, unless otherwise*
26 *provided by the Legislature pursuant to subparagraph (B) of*
27 *paragraph (3).*

28 (5) *For purposes of this subdivision a school district includes*
29 *a county office of education and a charter school.*

30 (f) ~~(1)~~ Payable claims for state-mandated costs incurred prior
31 to the 2004–05 fiscal year by a school district or community
32 college district that have not been paid prior to the 2005–06 fiscal
33 year shall be paid no later than the 2020–21 fiscal year.

34 ~~(2) Amounts allocated to a school district or community~~
35 ~~college district for a fiscal year pursuant to subdivision (b) shall~~
36 ~~first be expended by the district to pay the costs for state~~
37 ~~mandates incurred during that fiscal year.~~

38 (g) (1) For purposes of this section, “changes in enrollment”
39 shall be measured by the percentage change in average daily
40 attendance. However, in any fiscal year, there shall be no

1 adjustment for decreases in enrollment between the prior fiscal
2 year and the current fiscal year unless there have been decreases
3 in enrollment between the second prior fiscal year and the prior
4 fiscal year and between the third prior fiscal year and the second
5 prior fiscal year.

6 (2) For purposes of this section, “maintenance factor” means
7 the difference between (A) the amount of General Fund moneys
8 that would have been appropriated for a fiscal year pursuant to
9 paragraph (2) of subdivision (b) if that paragraph, rather than
10 former paragraph (3) of that subdivision, had been operative or,
11 as applicable, the amount of General Fund moneys that would
12 have been appropriated for a fiscal year pursuant to subdivision
13 (b) had subdivision (b) not been suspended pursuant to a statute
14 enacted prior to July 1, 2005, and (B) the amount of General
15 Fund moneys actually appropriated to school districts and
16 community college districts for that fiscal year.

17 Fifth—That Section 6 of Article XIX thereof is amended to
18 read:

19 SEC. 6. Subdivision (h) of Section 12 of Article IV does not
20 prohibit the Legislature from authorizing, by statute, loans to
21 local transportation agencies, cities, counties, or cities and
22 counties, from funds that are subject to this article, for the
23 purposes authorized under this article. Any loan authorized as
24 described by this section shall be repaid, with interest at the rate
25 paid on money in the Pooled Money Investment Account, or any
26 successor to that account, during the period of time that the
27 money is loaned, to the fund from which it was borrowed, not
28 later than four years after the date on which the loan was made.

29 Sixth—That Section 1 of Article XIX A thereof is repealed.

30 Seventh—That Section 1 of Article XIX B thereof is amended
31 to read:

32 SECTION 1. (a) For the 2003–04 fiscal year and each fiscal
33 year thereafter, all moneys that are collected during the fiscal
34 year from taxes under the Sales and Use Tax Law (Part 1
35 (commencing with Section 6001) of Division 2 of the Revenue
36 and Taxation Code), or any successor to that law, upon the sale,
37 storage, use, or other consumption in this State of motor vehicle
38 fuel, and that are deposited in the General Fund of the State
39 pursuant to that law, shall be transferred to the Transportation
40 Investment Fund, which is hereby created in the State Treasury.

1 (b) (1) For the 2003–04 to 2007–08 fiscal years, inclusive,
2 moneys in the Transportation Investment Fund shall be allocated,
3 upon appropriation by the Legislature, in accordance with
4 Section 7104 of the Revenue and Taxation Code as that section
5 read on March 6, 2002.

6 (2) For the 2008–09 fiscal year and each fiscal year thereafter,
7 moneys in the Transportation Investment Fund shall be allocated
8 solely for the following purposes:

9 (A) Public transit and mass transportation.

10 (B) Transportation capital improvement projects, subject to the
11 laws governing the State Transportation Improvement Program,
12 or any successor to that program.

13 (C) Street and highway maintenance, rehabilitation,
14 reconstruction, or storm damage repair conducted by cities,
15 including a city and county.

16 (D) Street and highway maintenance, rehabilitation,
17 reconstruction, or storm damage repair conducted by counties,
18 including a city and county.

19 (c) For the 2008–09 fiscal year and each fiscal year thereafter,
20 moneys in the Transportation Investment Fund shall be allocated,
21 upon appropriation by the Legislature, as follows:

22 (1) Twenty percent of the moneys for the purposes set forth in
23 subparagraph (A) of paragraph (2) of subdivision (b).

24 (2) Forty percent of the moneys for the purposes set forth in
25 subparagraph (B) of paragraph (2) of subdivision (b).

26 (3) Twenty percent of the moneys for the purposes set forth in
27 subparagraph (C) of paragraph (2) of subdivision (b).

28 (4) Twenty percent of the moneys for the purpose set forth in
29 subparagraph (D) of paragraph (2) of subdivision (b).

30 (d) (1) The transfer of revenues from the General Fund of the
31 State to the Transportation Investment Fund pursuant to
32 subdivision (a) may be suspended, in whole or in part, for any
33 fiscal year preceding the 2007–08 fiscal year if both of the
34 following conditions are met:

35 (A) The Governor has issued a proclamation that declares that
36 the transfer of revenues pursuant to subdivision (a) will result in
37 a significant negative fiscal impact on the range of functions of
38 government funded by the General Fund of the State.

39 (B) The Legislature enacts by statute, pursuant to a bill passed
40 in each house of the Legislature by rollcall vote entered in the

1 journal, two-thirds of the membership concurring, a suspension
2 for that fiscal year of the transfer of revenues pursuant to
3 subdivision (a), provided that the bill does not contain any other
4 unrelated provision.

5 (2) (A) The total amount, as of July 1, 2007, of revenues that
6 were not transferred from the General Fund of the State to the
7 Transportation Investment Fund because of a suspension
8 pursuant to this subdivision shall be repaid to the Transportation
9 Investment Fund no later than June 30, 2022. Until that total
10 amount has been repaid, the amount of that repayment to be
11 made in each fiscal year shall not be less than $\frac{1}{15}$ of the total
12 amount due.

13 (B) Notwithstanding Article XVI, the Legislature may
14 provide by statute for the issuance of bonds by the State or local
15 agencies, as applicable, that are secured by the payments required
16 by this paragraph. Proceeds of the sale of the bonds shall be
17 applied for purposes consistent with this article, and for costs
18 associated with the issuance and sale of the bonds.

19 (e) The Legislature may enact a statute that modifies the
20 percentage shares set forth in subdivision (c) by a bill passed in
21 each house of the Legislature by rollcall vote entered in the
22 journal, two-thirds of the membership concurring, provided that
23 the bill does not contain any other unrelated provision and that
24 the moneys described in subdivision (a) are expended solely for
25 the purposes set forth in paragraph (2) of subdivision (b).

26 Eighth—That the provisions of this measure are severable. If
27 any provision of this measure or its application is held
28 unconstitutional or otherwise invalid, that invalidity shall not
29 affect other provisions or applications that can be given effect
30 without the invalid provision or application.
31

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AMENDED IN SENATE APRIL 12, 2005

SENATE BILL

No. 1024

Introduced by Senators Perata and Torlakson

February 22, 2005

An act to add Chapter 12.49 (commencing with Section 8879.20) to Division 1 of Title 2 of the Government Code, relating to ~~seismic~~ *public works and improvements* by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1024, as amended, Perata. Seismic improvements: bond measure.

(1) Existing law sets forth a funding plan for the seismic retrofit or replacement of certain state-owned toll bridges by the Department of Transportation. Existing law, pursuant to Proposition 192 of 1996, provides \$2 billion in voter-approved general obligation bond funds for state highway and toll bridge seismic work. ~~Existing law imposes certain seismic safety requirements on hospitals.~~

This bill would enact the ~~Essential Facilities Seismic Retrofit Safe Facilities, Improved Mobility, and Clean Air~~ Bond Act of 2005 to authorize ~~an unspecified amount~~ \$7,688,000,000 in state general obligation bonds for *specified purposes, including the seismic retrofit of essential facilities throughout the state, including toll bridges and hospitals, levee improvements, restoration of Proposition 42 transportation funds, port infrastructure and security projects, trade corridors of significance, emissions reduction projects, environmental enhancement projects, and transportation needs in cities, counties, and cities and counties that meet certain requirements relative to provisions of housing needs in their communities,* subject to voter

approval. ~~Of the total amount of the bond measure, \$3.22 billion would be designated for seismic work on toll bridges and an unspecified amount would be designated for seismic work on hospitals.~~

This bill would require the Secretary of State to submit the proposed bond measure to the voters at an unspecified election.

This bill would require the Department of Transportation to report on its expenditure of toll bridge funds and would authorize the department to use bond funds to reimburse other state transportation accounts for costs associated with a rebid of the contract to construct the replacement east span of the San Francisco-Oakland Bay Bridge. The bill would enact other related provisions.

This bill would declare that it is to take effect immediately as an urgency measure.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 12.49 (commencing with Section
2 8879.20) is added to Division 1 of Title 2 of the Government
3 Code, to read:

4
5 CHAPTER 12.49. ~~ESSENTIAL FACILITIES SEISMIC RETROFIT~~
6 ~~BOND ACT~~ *THE SAFE FACILITIES, IMPROVED MOBILITY, AND*
7 *CLEAN AIR BOND ACT OF 2005*

8
9 Article 1. General Provisions

10
11 8879.20. (a) This chapter shall be known as the ~~Essential~~
12 ~~Facilities Seismic Retrofit~~ *Safe Facilities, Improved Mobility,*
13 *and Clean Air Bond Act of 2005.*

14 (b) This chapter shall only become operative upon adoption by
15 the voters at the November ____ election.

16 8879.21. (a) The Legislature finds and declares that the
17 completion of seismic safety retrofit work on state-owned toll
18 bridges ~~and on non-profit, county, and rural hospitals~~ is essential
19 to the welfare and economy of the state.

20 (b) ~~The~~ purpose of this bond act is to pay for the completion
21 of the state Toll Bridge Seismic Safety Retrofit Program

1 (TBSSRP) as expeditiously as possible ~~and to provide state~~
2 ~~assistance to non-profit, county, and rural hospitals so that they~~
3 ~~can make seismic safety improvement to hospital facilities~~
4 ~~consistent with the requirements under the Alfred E. Alquist~~
5 ~~Hospital Seismic Safety Act of 1973 (Sections 130000 to~~
6 ~~130070, inclusive, of the Health and Safety Code) as amended by~~
7 ~~SB 1953 (Chapter 740 of the Statutes of 1994).~~

8 (c) The Department of Transportation notified the Legislature
9 on August 16, 2004, that the costs to complete the TBSSRP
10 exceeded the authorized budget contained in Section 188.5 of the
11 Streets and Highways Code by three billion two hundred twenty
12 million dollars (\$3,220,000,000).

13 (d) The expeditious completion of the TBSSRP is essential to
14 the welfare and economy of the state and to the safety of the
15 nearly 300,000 daily motorists who use the state-owned toll
16 bridges requiring seismic retrofit work.

17 (e) The department shall take all actions necessary to proceed
18 as expeditiously as possible to seismically retrofit the
19 Richmond-San Rafael Bridge and to replace the eastern span of
20 the San Francisco-Oakland Bay Bridge with a new, seismically
21 safe structure, as described in paragraph (9) of subdivision (b) of
22 Section 188.5 of the Streets and Highways Code.

23 (f) It was the original intent of the Legislature to fund the
24 TBSSRP with the proceeds of bonds through the enactment of
25 SB 146 (Chapter 310 of the Statutes of 1995), which placed
26 Proposition 192 on the ballot in March, 1996. Proposition 192
27 was overwhelmingly approved by the voters on March 26, 1996,
28 but provided only a small fraction of the increased amount of
29 funding required to complete the TBSSRP.

30 (g) It is the intent of the Legislature to fund the remaining
31 three billion two hundred twenty million dollars
32 (\$3,220,000,000) needed to complete the TBSSRP from the
33 proceeds of bonds made available by this chapter upon approval
34 by the voters at the November _____ election.

35 (h) The department shall report within 30 days of the end of
36 each month to the Joint Legislative Budget Committee, the
37 committees in each house of the Legislature that consider
38 transportation issues, the Department of Finance, the California
39 Transportation Commission, and the Bay Area Toll Authority
40 (BATA) regarding the department's progress toward completion

1 of the TBSSRP and the use of funds made available to it by this
2 act.

3 (i) The Legislature intends, with the adoption of this chapter,
4 to meet the state's obligation and duty to complete the TBSSRP
5 without forcing the unprogramming of other transportation
6 projects or the reallocation of transportation funds from other
7 high-priority projects throughout the state.

8 (j) Proceeds made available under this act may be used by the
9 department to reimburse state transportation accounts for funds
10 utilized by the department to rebid the contract to construct the
11 main span of the San Francisco-Oakland Bay Bridge consistent
12 with paragraph (9) of subdivision (b) of Section 188.5 Streets and
13 Highways Code.

14 (k) With respect to the completion of the TBSSRP, bond
15 monies from this act in the amount of three billion two hundred
16 twenty million dollars (\$3,220,000,000) are to be used
17 exclusively to pay for the costs that exceed those enumerated in
18 Section 188.5 of the Streets and Highways Code to complete the
19 retrofit of the Richmond-San Rafael Bridge and the replacement
20 of the eastern span of the San Francisco-Oakland Bay Bridge as
21 described in paragraph (9) of subdivision (b) of that section.

22 ~~(l) With respect to seismic retrofit of non-profit, county and~~
23 ~~rural hospitals, bond monies from this act in the amount of _____~~
24 ~~(\$_____) shall be used to provide assistance to nonprofit, county,~~
25 ~~and rural hospitals in order to allow these hospitals to meet their~~
26 ~~seismic safety requirements in current law.~~

27 (l) *The amount dedicated to the TBSSRP by this act amounts*
28 *to 47 percent of the cost overruns identified by the Department of*
29 *Transportation for completion of the TBSSRP.*

30 (m) *Another purpose of this bond act is to provide funding for*
31 *levee improvement and management. According to the*
32 *Department of Water Resources, funding for those purposes have*
33 *been reduced in recent years, and, as a result, it has been*
34 *difficult to perform the necessary maintenance on the state's*
35 *1,600 miles of project levees. The department estimates that*
36 *capital improvements costing two billion dollars*
37 *(\$2,000,000,000) over 10 to 15 years could provide a reliable*
38 *flood control system. It is in the interest of public health and*
39 *safety for the state to invest in the structural integrity of its*
40 *levees, which protect more than 500,000 people, two million*

1 *acres of cultivated land, and 200,000 structures with an*
2 *estimated value of forty-seven billion dollars (\$47,000,000,000).*

3 8879.22. As used in this chapter, the following terms have the
4 following meanings:

5 (a) "Board" means any department receiving an allocation
6 from the Department of Finance.

7 (b) "Committee" means the ~~Essential Facilities Seismic~~
8 ~~Retrofit Safe Facilities, Improved Mobility, and Clean Air~~
9 Finance Committee created pursuant to Section 8879.27.

10 (c) "Fund" means the ~~Essential Facilities Seismic Retrofit Safe~~
11 ~~Facilities, Improved Mobility, and Clean Air~~ Bond Fund of 2005
12 created pursuant to Section 8879.23.

13
14 Article 2. ~~Essential Facilities Seismic Retrofit Safe Facilities,~~
15 ~~Improved Mobility, and Clean Air~~ Bond Fund and Program
16

17 8879.23. The ~~Essential Facilities Seismic Retrofit Safe~~
18 ~~Facilities, Improved Mobility, and Clean Air~~ Bond Fund of 2005
19 is hereby created in the State Treasury. The proceeds of bonds
20 issued and sold pursuant to this chapter for the purposes specified
21 in this chapter are hereby appropriated, without regard to fiscal
22 years, to the Department of Finance for allocation in the
23 following manner:

24 (a) ~~Three billion two hundred twenty million dollars~~
25 ~~(\$3,220,000,000) for the seismic retrofit of state-owned~~
26 ~~highways and bridges, including toll bridges, throughout the~~
27 ~~state. Funds allocated by the California Transportation~~
28 ~~Commission for this purpose shall be deposited in the 2005~~
29 ~~Seismic Retrofit Account, which is hereby created in the fund,~~
30 ~~and, upon deposit, are continuously appropriated to the~~
31 ~~Department of Transportation. Funds may be used to match any~~
32 ~~available federal funds for transportation purposes or may be~~
33 ~~used without matching federal funds to reconstruct, replace, or~~
34 ~~retrofit state-owned highways and bridges, including toll bridges.~~

35 (b) ~~_____ dollars (\$____) to provide state assistance to~~
36 ~~nonprofit, county, and rural hospitals so that they can make~~
37 ~~seismic safety improvement to hospital facilities consistent with~~
38 ~~the requirements under the Alfred E. Alquist Hospital Seismic~~
39 ~~Safety Act of 1973 (Sections 130000 through 130070 of the~~

1 ~~Health and Safety Code) as amended by SB 1953 (Chapter 740~~
2 ~~of the Statutes of 1994).~~

3 (a) Two billion, three hundred sixty-three million dollars
4 (\$2,363,000,000) for safe facilities, to be deposited in the Safe
5 Facilities Account, which is hereby created in the fund. The
6 money in the account shall be available as follows:

7 (1) One billion three hundred sixty-three million dollars
8 (\$1,363,000,000) for the completion of the state's Toll Bridge
9 Seismic Safety Retrofit Program (TBSSRP), pursuant to Section
10 188.5 of the Streets and Highways Code, which includes the
11 replacement of the San Francisco-Oakland Bay Bridge. Upon
12 deposit, the money in the account shall be continuously
13 appropriated to the Department of Transportation for those
14 purposes.

15 (2) One billion dollars (\$1,000,000,000) shall be available to
16 the Department of Water Resources for the inspection,
17 evaluation, improvement, and strengthening of the state's
18 federally designated project levees. The funds shall be made
19 available for levee improvements on a matching basis, with the
20 share provided from these bond revenues to pay for no more than
21 75 percent of a project's costs, and with the remaining matching
22 funds to be provided in the form of local or regional assessment
23 fee revenues, other local funds, or any federal funds available for
24 those purposes.

25 (b) Two billion three hundred million dollars (\$2,300,000,000)
26 for restoration of Proposition 42 (Article XIX B) revenues, to be
27 deposited in the Proposition 42 Repayment Account, which is
28 hereby created in the fund. Money deposited in the account shall
29 be used by the Controller, in lieu of monies from the General
30 Fund, to meet the transfer obligations to the Transportation
31 Deferred Investment Fund specified in Sections 7105 and 7106 of
32 the Revenue and Taxation Code as a result of suspending the
33 transfer of monies from the General Fund to the Transportation
34 Investment Fund pursuant to Sections 14557.1 and 14558 of the
35 Government Code with respect to the 2003-04 and 2004-05 fiscal
36 years. Funds deposited in the Transportation Deferred
37 Investment Fund shall be allocated as provided in Sections 7105
38 and 7106 of the Revenue and Taxation Fund as those sections
39 read on January 1, 2005.

1 (c) Two billion five hundred million dollars (\$2,500,000,000)
2 to be deposited in the California Ports Infrastructure, Security,
3 and Air Quality Improvement Account, which is hereby created
4 in the fund. The money in the account shall be available as
5 follows:

6 (1) Two billion dollars (\$2,000,000,000) shall be transferred
7 to the Global Gateways Improvement Fund, which is hereby
8 created. The money in this fund shall be available for allocation
9 by the California Transportation Commission for infrastructure
10 improvements along federally-designated "Trade Corridors of
11 National Significance" in this state or along other corridors
12 within this state that have a high volume of freight movement, as
13 determined by the commission. Applicants for these funds shall
14 provide matching funds from other revenues, in a percentage
15 amount to be determined by the commission. In determining
16 projects eligible for funding, the commission shall consult the
17 Global Gateways Development Program report prepared by the
18 Business, Transportation and Housing Agency pursuant to SCR
19 96 (Resolution Chapter 158, Statutes of 2000). Eligible projects
20 for these funds shall include all of the following:

21 (A) Highway capacity improvements and operational
22 improvements to more efficiently accommodate the movement of
23 freight, particularly for ingress and egress to and from the state's
24 seaports and airports, and to relieve traffic congestion along
25 major trade or goods movement corridors.

26 (B) Freight rail system improvements to enhance the ability to
27 move goods from seaports and airports to warehousing and
28 distribution centers throughout California, including projects
29 that separate rail lines from highway traffic and other projects
30 that improve the efficiency and capacity of the rail freight system.

31 (C) Projects to enhance the capacity and efficiency of ports.

32 (2) Four hundred million dollars (\$400,000,000) shall be
33 available for transfer to the Carl Moyer Memorial Air Quality
34 Standards Attainment Trust Fund, created pursuant to Section
35 44299 of the Health and Safety Code. Funds under this
36 paragraph shall be available for allocation by the State Air
37 Resources Board to reduce covered emissions from a covered
38 source, as those terms are defined in paragraphs (5) and (7) of
39 subdivision (a) of Section 44275 of the Health and Safety Code,

1 *relative to sources used primarily in the operations of ports in*
2 *this state.*

3 *(3) One hundred million dollars (\$100,000,000) shall be*
4 *available to the California Infrastructure and Economic*
5 *Development Bank to be allocated, as grants, for port and*
6 *harbor security improvements. The money made available under*
7 *this paragraph shall be continuously appropriated to the bank*
8 *without regard to fiscal years. Eligible applicants shall be*
9 *publicly owned ports and harbors, which may submit*
10 *applications for the following types of projects:*

11 *(A) Video surveillance equipment.*

12 *(B) Explosives detection technology, including, but not limited*
13 *to, X-ray devices.*

14 *(C) Cargo scanners.*

15 *(D) Radiation monitors.*

16 *(E) Thermal protective equipment.*

17 *(F) Site identification instruments capable of providing a*
18 *fingerprint for a broad inventory of chemical agents.*

19 *(G) Other devices capable of detecting weapons of mass*
20 *destruction using chemical, biological, or other similar*
21 *substances.*

22 *(H) Other security equipment to assist in any of the following:*

23 *(i) Screening of incoming vessels and incoming or outbound*
24 *cargo.*

25 *(ii) Monitoring the physical perimeters of harbors and ports.*

26 *(iii) Providing or augmenting onsite emergency response*
27 *capability.*

28 *(I) Overweight cargo detection equipment, including, but not*
29 *limited to, intermodal crane scales and truck weight scales.*

30 *(d) One hundred million dollars (\$100,000,000) to be*
31 *deposited in the Transportation Project Enhancement and*
32 *Mitigation Account, which is hereby created in the fund. The*
33 *money in the account shall be available for transfer to the*
34 *Environmental Enhancement and Mitigation Program Fund*
35 *created pursuant to Section 164.56 of the Streets and Highways*
36 *Code, for allocation to projects pursuant to that section.*

37 *(e) (1) Four hundred twenty-five million dollars*
38 *(\$425,000,000) to be deposited in the Affordable Housing*
39 *Incentive Program Account, which is hereby created in the fund.*
40 *Funds shall be available, upon appropriation, to the California*

1 *Transportation Commission for the purpose of providing*
2 *transportation funding grants, upon application, to cities,*
3 *counties, and cities and counties that meet a significant portion*
4 *of their overall and affordable housing needs. In order to be*
5 *eligible for funds pursuant to this subdivision, a city, county, or*
6 *city and county shall meet all of the following criteria:*

7 *(A) The city, county, or city and county has adopted a revised*
8 *housing element in accordance with Section 65588 that the*
9 *Department of Housing and Community Development has*
10 *determined pursuant to Section 65585 to be in substantial*
11 *compliance with the requirements of Article 10.6 of Chapter 3 of*
12 *Division 1 of Title 7 (commencing with Section 65580). For the*
13 *purposes of this paragraph, an adopted housing element that has*
14 *been self-certified pursuant to Section 65585.1 shall be deemed*
15 *to have been approved by the department, unless a court finds*
16 *that the jurisdiction's housing element does not substantially*
17 *comply with that article.*

18 *(B) The city, county, or city and county has met, as determined*
19 *by the Department of Housing and Community Development in*
20 *accordance with the forms and definitions determined by the*
21 *department pursuant to Section 65400, at least percent of its*
22 *annualized overall housing need during the preceding year or*
23 *percent of its three-year overall housing need over the preceding*
24 *three years, as determined pursuant to Section 65584.*

25 *(C) The city, county, or city and county has met, as determined*
26 *by the Department of Housing and Community Development in*
27 *accordance with the forms and definitions determined by the*
28 *department pursuant to Section 65400, at least percent of its*
29 *annualized housing need for each of the very low-, low-, and*
30 *moderate-income categories during the preceding year or*
31 *percent of its three-year housing need in each of the very low-,*
32 *low-, and moderate-income categories over the preceding three*
33 *years, as determined pursuant to Section 65584.*

34 *(2) The Department of Housing and Community Development*
35 *shall report annually to the California Transportation*
36 *Commission a list of cities, counties, and city and counties that*
37 *have met the requirements of paragraph (1).*

38 *(3) The California Transportation Commission shall award*
39 *funds available under this section over a five-year period.*

1 (4) *Funds awarded pursuant to this section shall be used for*
2 *improvements to neighborhood streets and roads. Improvements,*
3 *as used in this paragraph, mean those activities described in*
4 *subdivision (e) of Section 7104 of the Revenue and Taxation*
5 *Code.*

6 8879.24. (a) The Department of Transportation shall only use
7 funds specified in subdivision (a) of Section 8879.23 for seismic
8 retrofit of state-owned toll bridges and bridges in augmentation
9 of the funds identified in Section 188.5 of the Streets and
10 Highways Code.

11 (b) The Director of Finance shall provide written notification
12 to the Chair of the Joint Legislative Budget Committee of the
13 date when the proceeds of the ~~Essential Facilities Seismic~~
14 ~~Retrofit Bond Act of 2005 Safe Transportation Facilities~~
15 ~~Account of the fund that are available for purposes of paragraph~~
16 ~~(1) of subdivision (a) of Section 8879.23~~ have been fully
17 expended for the purposes specified in subdivision (a).

18
19 Article 3. Fiscal Provisions
20

21 8879.25. Bonds in the total amount of _____ dollars
22 (\$_____), exclusive of refunding bonds, or so much thereof as
23 is necessary, are hereby authorized to be issued and sold for
24 carrying out the purposes expressed in this chapter and to
25 reimburse the General Obligation Bond Expense Revolving Fund
26 pursuant to Section 16724.5. All bonds herein authorized which
27 have been duly sold and delivered as provided herein shall
28 constitute valid and legally binding general obligations of the
29 state, and the full faith and credit of the state is hereby pledged
30 for the punctual payment of both principal and interest thereof.

31 8879.26. The bonds authorized by this chapter shall be
32 prepared, executed, issued, sold, paid, and redeemed as provided
33 in the State General Obligation Bond Law (Chapter 4
34 (commencing with Section 16720) of Part 3 of Division 4),
35 except Section 16727, and all of the other provisions of that law
36 as amended from time to time apply to the bonds and to this
37 chapter and are hereby incorporated in this chapter as though set
38 forth in full in this chapter.

39 8879.27. (a) Solely for the purpose of authorizing the
40 issuance and sale, pursuant to the State General Obligation Bond

1 Law, of the bonds authorized by this chapter, the Essential
2 Facilities Seismic Retrofit Finance Committee is hereby created.
3 For the purposes of this chapter, the ~~Essential Facilities Seismic~~
4 ~~Retrofit~~ *Safe Facilities, Improved Mobility, and Clean Air*
5 Finance Committee is "the committee" as that term is used in the
6 State General Obligation Bond Law. The committee consists of
7 the Treasurer, the Controller, the Director of Finance, and the
8 Secretary of the Business, Transportation and Housing Agency,
9 or a designated representative of each of those officials. The
10 Treasurer shall serve as the chairperson of the committee. A
11 majority of the committee may act for the committee.

12 (b) The committee may adopt guidelines establishing
13 requirements for administration of its financing programs to the
14 extent necessary to protect the validity of, and tax exemption for,
15 interest on the bonds. The guidelines shall not constitute rules,
16 regulations, orders, or standards of general application.

17 (c) For the purposes of the State General Obligation Bond
18 Law, any department receiving an allocation from the
19 Department of Finance is designated to be the "board."

20 8879.28. Upon request of the board stating that funds are
21 ~~needed for toll bridge or hospital seismic retrofit purposes~~
22 *purposes of this chapter*, the committee shall determine whether
23 or not it is necessary or desirable to issue bonds authorized
24 pursuant to this chapter in order to carry out the actions specified
25 in Section 8879.23, and, if so, the amount of bonds to be issued
26 and sold. Successive issues of bonds may be authorized and sold
27 to carry out those actions progressively, and be sold at any one
28 time. Bonds may bear interest subject to federal income tax.

29 8879.29. There shall be collected annually, in the same
30 manner and at the same time as other state revenue is collected, a
31 sum of money in addition to the ordinary revenues of the state,
32 sufficient to pay the principal of, and interest on, the bonds as
33 provided herein, and all officers required by law to perform any
34 duty in regard to the collections of state revenues shall collect
35 that additional sum.

36 8879.30. Notwithstanding Section 13340, there is hereby
37 appropriated from the General Fund in the State Treasury, for the
38 purposes of this chapter, an amount that will equal the total of the
39 following:

1 (a) The sum annually necessary to pay the principal of, and
2 interest on, bonds issued and sold pursuant to this chapter, as the
3 principal and interest become due and payable.

4 (b) The sum which is necessary to carry out Section 8879.32,
5 appropriated without regard to fiscal years.

6 8879.31. The board may request the Pooled Money
7 Investment Board to make a loan from the Pooled Money
8 Investment Account, in accordance with Section 16312, for
9 purposes of this chapter. The amount of the request shall not
10 exceed the amount of the unsold bonds which the committee has,
11 by resolution, authorized to be sold for the purpose of this
12 chapter, less any amount withdrawn pursuant to Section 8879.32.
13 The board shall execute any documents as required by the Pooled
14 Money Investment Board to obtain and repay the loan. Any
15 amount loaned shall be deposited in the fund to be allocated in
16 accordance with this chapter.

17 8879.32. For the purpose of carrying out this chapter, the
18 Director of Finance may, by executive order, authorize the
19 withdrawal from the General Fund of any amount or amounts not
20 to exceed the amount of the unsold bonds which the committee
21 has, by resolution, authorized to be sold for the purpose of
22 carrying out this chapter. Any amounts withdrawn shall be
23 deposited in the ~~Essential Facilities Seismic Retrofit Safe~~
24 *Facilities, Improved Mobility, and Clean Air* Bond Fund of 2005.
25 Any money made available under this section shall be returned to
26 the General Fund, plus the interest that the amounts would have
27 earned in the Pooled Money Investment Account, from money
28 received from the sale of bonds which would otherwise be
29 deposited in that fund.

30 8879.33. The bonds may be refunded in accordance with
31 Article 6 (commencing with Section 16780) of the State General
32 Obligation Bond Law. Approval by the electors of this act shall
33 constitute approval of any refunding bonds issued pursuant to the
34 State General Obligation Bond Law.

35 8879.34. Notwithstanding anything in the State General
36 Obligation Bond Law, the maximum maturity of any bonds
37 authorized by this chapter shall not exceed 30 years from the date
38 of each respective series. The maturity of each series shall be
39 calculated from the date of each series.

1 8879.35. The Legislature hereby finds and declares that,
2 inasmuch as the proceeds from the sale of bonds authorized by
3 this chapter are not “proceeds of taxes” as that term is used in
4 Article XIII B of the California Constitution, the disbursement of
5 these proceeds is not subject to the limitations imposed by that
6 article.

7 8879.36. Notwithstanding any provision of the State General
8 Obligation Bond Law with regard to the proceeds from the sale
9 of bonds authorized by this chapter that are subject to investment
10 under Article 4 (commencing with Section 16470) of Chapter 3
11 of Part 2 of Division 4, the Treasurer may maintain a separate
12 account for investment earnings, order the payment of those
13 earnings to comply with any rebate requirement applicable under
14 federal law, and may otherwise direct the use and investment of
15 those proceeds so as to maintain the tax-exempt status of those
16 bonds and to obtain any other advantage under federal law on
17 behalf of the funds of this state.

18 SEC. 2. Section 1 of this act shall become operative upon
19 adoption by the voters of the ~~Essential Facilities Seismic Retrofit~~
20 *Safe Facilities, Improved Mobility, and Clean Air* Bond Act of
21 2005, as set forth in Section 1 of this act.

22 SEC. 3. (a) Notwithstanding Sections 9040, 9043, 9044,
23 9061, and 9094 of the Elections Code, or any other provision of
24 law, the Secretary of State shall submit Section 1 of this act to
25 the voters at the November election.

26 (b) The Secretary of State shall ensure the placement of
27 Section 1 of this act on the November election ballot, in
28 substantial compliance with any statutory time requirements
29 applicable to the submission of statewide measures to the voters
30 at a statewide election.

31 (c) The Secretary of State shall include, in the ballot pamphlet
32 mailed pursuant to Section 9094 of the Elections Code, the
33 information specified in Section 9084 of that code regarding the
34 bond act contained in Section 1 of this act.

35 SEC. 4. Notwithstanding any other provision of law, all
36 ballots shall have printed thereon and in a square thereof, the
37 words: “~~Essential Facilities Seismic Retrofit~~ *Safe Facilities,*
38 *Improved Mobility, and Clean Air* Bond Act of 2005,” and in the
39 same square under those words, the following in 8-point type:
40 “This act provides for a bond issue of _____ *seven billion six*

1 *hundred eighty-eight million dollars* (~~\$~~) (*\$7,688,000,000*) to
2 provide funds for an essential facilities seismic retrofit program.”
3 Opposite the square, there shall be left spaces in which the voters
4 may place a cross in the manner required by law to indicate
5 whether they vote for or against the act.

6 Where the voting in the election is done by means of voting
7 machines used pursuant to law in the manner that carries out the
8 intent of this section, the use of the voting machines and the
9 expression of the voters' choice by means thereof are in
10 compliance with this section.

11 SEC. 5. This act is an urgency statute necessary for the
12 immediate preservation of the public peace, health, or safety
13 within the meaning of Article IV of the Constitution and shall go
14 into immediate effect. The facts constituting the necessity are:

15 In order for this act to be submitted to voters at the earliest
16 possible time, it is necessary for this act to take effect
17 immediately.

AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 172

Introduced by Senator Torlakson

February 9, 2005

An act to amend Section 188.5 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 172, as amended, Torlakson. Seismic retrofit projects.

Existing law provides for the seismic retrofit of state-owned toll bridges. Under existing law, the Department of Transportation is required to report quarterly to the Legislature and the California Transportation Commission for each seismic retrofit project. *Existing law specifies the powers and duties of the Department of Transportation, the Metropolitan Transportation Commission, and the Bay Area Toll Authority with respect to Bay Area state-owned toll bridge revenues and expenditures, including the revenues from the toll increase authorized by Regional Measure 1 of 1988.*

This bill would require that these reports be submitted within 45 days after the end of each quarter and include a summary of the budget status for support and capital outlay construction costs. The bill would also require the department to take specified actions to manage the risks associated with the seismic retrofit projects.

Existing law requires the department and the Bay Area Toll Authority to enter into a cooperative agreement on mutually agreeable terms and conditions relative to the Bay Area state-owned toll bridges, including operation of the bridges by the department and the planning, design, and construction of improvements to the bridges paid by toll bridge revenues.

This bill would require the department and the authority to amend the cooperative agreement previously entered into under these

provisions to provide various oversight and control responsibilities with respect to the Regional Measure 1 bridge toll program and the toll bridge seismic retrofit program. By imposing new duties on a local agency, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 188.5 of the Streets and Highways Code
2 is amended to read:

3 188.5. (a) The Legislature finds and declares all of the
4 following:

5 (1) The department has determined that in order to provide
6 maximum safety for the traveling public and to ensure
7 continuous and unimpeded operation of the state's transportation
8 network, six state-owned toll bridges are in need of a seismic
9 safety retrofit, and one state-owned toll bridge is in need of a
10 partial retrofit and a partial replacement.

11 (2) The bridges identified by the department as needing
12 seismic retrofit are the Benicia-Martinez Bridge, the Carquinez
13 Bridge, the Richmond-San Rafael Bridge, the San
14 Mateo-Hayward Bridge, the San Pedro-Terminal Island Bridge
15 (also known as the Vincent Thomas Bridge), the San
16 Diego-Coronado Bridge, and the west span of the San
17 Francisco-Oakland Bay Bridge. The department has also
18 identified the east span of the San Francisco-Oakland Bay Bridge
19 as needing to be replaced. That replacement span will be safer,
20 stronger, longer lasting, and more cost efficient to maintain than
21 completing a seismic retrofit for the current east span.

22 (3) The south span of the Carquinez Bridge is to be replaced
23 pursuant to Regional Measure 1, as described in Section 30917.

1 (4) The cost estimate to retrofit the state-owned toll bridges
2 and to replace the east span of the San Francisco-Oakland Bay
3 Bridge is four billion six hundred thirty-seven million dollars
4 (\$4,637,000,000), as follows:

5 (A) The Benicia-Martinez Bridge retrofit is one hundred
6 ninety million dollars (\$190,000,000).

7 (B) The north span of the Carquinez Bridge retrofit is one
8 hundred twenty-five million dollars (\$125,000,000).

9 (C) The Richmond-San Rafael Bridge retrofit is six hundred
10 sixty-five million dollars (\$665,000,000).

11 (D) The San Mateo-Hayward Bridge retrofit is one hundred
12 ninety million dollars (\$190,000,000).

13 (E) The San Pedro-Terminal Island Bridge retrofit is sixty-two
14 million dollars (\$62,000,000).

15 (F) The San Diego-Coronado Bridge retrofit is one hundred
16 five million dollars (\$105,000,000).

17 (G) The west span of the San Francisco-Oakland Bay Bridge
18 retrofit, as a lifeline bridge, is seven hundred million dollars
19 (\$700,000,000).

20 (H) Replacement of the east span of the San
21 Francisco-Oakland Bay Bridge is two billion six hundred million
22 dollars (\$2,600,000,000).

23 (b) It is the intent of the Legislature that the following
24 amounts from the following funds shall be allocated until
25 expended, for the seismic retrofit or replacement of state-owned
26 toll bridges:

27 (1) Six hundred fifty million dollars (\$650,000,000) from the
28 1996 Seismic Retrofit Account in the Seismic Retrofit Bond
29 Fund of 1996 for the seven state-owned toll bridges identified by
30 the department as requiring seismic safety retrofit or
31 replacement.

32 (2) One hundred forty million dollars (\$140,000,000) in
33 surplus revenues generated under the Seismic Retrofit Bond Act
34 of 1996 that are in excess of the amount actually necessary to
35 complete Phase Two of the state's seismic retrofit program.
36 These excess funds shall be reallocated to assist in financing
37 seismic retrofit of the state-owned toll bridges.

38 (3) Fifteen million dollars (\$15,000,000) from the Vincent
39 Thomas Toll Bridge Revenue Account.

40 (4) The funds necessary to meet both of the following:

1 (A) A principal obligation of two billion two hundred
2 eighty-two million dollars (\$2,282,000,000) from the seismic
3 retrofit surcharge, including any interest therefrom, imposed
4 pursuant to Section 31010, subject to the limitation set forth in
5 subdivision (c) and subdivision (b) of Section 31010.

6 (B) All costs of financing, including capitalized interest,
7 reserves, costs of issuance, costs of credit enhancements and any
8 other financial products necessary or desirable in connection
9 therewith, and any other costs related to financing.

10 (5) Thirty-three million dollars (\$33,000,000) from the San
11 Diego-Coronado Toll Bridge Revenue Fund.

12 (6) Not less than seven hundred forty-five million dollars
13 (\$745,000,000) from the State Highway Account to be used
14 toward the eight hundred seventy-five million dollars
15 (\$875,000,000) state contribution, to be achieved as follows:

16 (A) (i) Two hundred million dollars (\$200,000,000) to be
17 appropriated for the state-local transportation partnership
18 program described in paragraph (7) of subdivision (d) of Section
19 164, prior to its repeal by Chapter 622 of the Statutes of 1997, for
20 the 1998-99 fiscal year.

21 (ii) The remaining funds intended for that program and any
22 program savings to be made available for toll bridge seismic
23 retrofit.

24 (B) A reduction of not more than seventy-five million dollars
25 (\$75,000,000) in the funding level specified in paragraph (4) of
26 subdivision (d) of Section 164, prior to its repeal by Chapter 622
27 of the Statutes of 1997, for traffic system management.

28 (C) Three hundred million dollars (\$300,000,000) in
29 accumulated savings by the department achieved from better
30 efficiency and lower costs.

31 (7) Not more than one hundred thirty million dollars
32 (\$130,000,000) from the Transit Capital Improvement Program
33 funded by the Public Transportation Account in the State
34 Transportation Fund to be used toward the eight hundred
35 seventy-five million dollars (\$875,000,000) state contribution. If
36 the contribution in subparagraph (A) of paragraph (6) exceeds
37 three hundred seventy million dollars (\$370,000,000), it is the
38 intent that the amount from the Transit Capital Improvement
39 Program shall be reduced by an amount that is equal to that
40 excess.

1 (8) (A) The funds necessary to meet principal obligations of
2 not less than six hundred forty-two million dollars
3 (\$642,000,000) from the state's share of the federal Highway
4 Bridge Replacement and Rehabilitation (HBRR) Program.

5 (B) If the project costs exceed four billion six hundred
6 thirty-seven million dollars (\$4,637,000,000), the department
7 may program not more than four hundred forty-eight million
8 dollars (\$448,000,000) in project savings or other available
9 resources from the Interregional Transportation Improvement
10 Program, the State Highway Operation and Protection Program,
11 or federal bridge funds for that purpose.

12 (C) None of the funds identified in subparagraph (B) may be
13 expended for any purpose other than the conditions and design
14 features described in paragraph (9).

15 (9) The estimated cost of replacing the San Francisco-Oakland
16 Bay Bridge listed in subparagraph (H) of paragraph (4) of
17 subdivision (a) is based on the following conditions:

18 (A) The new bridge shall be located north adjacent to the
19 existing bridge and shall be the Replacement Alternative N-6
20 (preferred) Suspension Structure Variation, as specified in the
21 Final Environmental Impact Statement, dated May 1, 2001,
22 submitted by the department to the Federal Highway
23 Administration.

24 (B) The main span of the bridge shall be in the form of a
25 single tower cable suspension design and shall be the
26 Replacement Alternative N-6 (preferred) Suspension Structure
27 Variation, as specified in the Final Environmental Impact
28 Statement, dated May 1, 2001, submitted by the department to
29 the Federal Highway Administration.

30 (C) The roadway in each direction shall consist of five lanes,
31 each lane will be 12 feet wide, and there shall be 10-foot
32 shoulders as an emergency lane for public safety purposes on
33 each side of the main-traveled way.

34 (c) If the actual cost of retrofit or replacement, or both retrofit
35 and replacement, of toll bridges is less than the cost estimate of
36 four billion six hundred thirty-seven million dollars
37 (\$4,637,000,000), there shall be a reduction in the amount
38 provided in paragraph (4) of subdivision (b) equal to the
39 proportion of total funds committed to complete the projects
40 funded from funds generated from paragraph (4) of subdivision

1 (b) as compared to the total funds from paragraphs (6), (7), and
2 (8) of subdivision (b), and there shall be a proportional reduction
3 in the amount specified in paragraph (8) of subdivision (b).

4 (d) If the department determines that the actual costs exceed
5 the amounts identified in subparagraph (B) of paragraph (8) of
6 subdivision (b), the department shall report to the Legislature
7 within 90 days from the date of that determination as to the
8 difference and the reason for the increase in costs.

9 (e) Notwithstanding any other provision of law, the
10 commission shall adopt fund estimates consistent with
11 subdivision (b) and provide flexibility so that state funds can be
12 made available to match federal funds made available to regional
13 transportation planning agencies.

14 (f) For the purposes of this section, "principal obligations" are
15 the amount of funds generated, either in cash, obligation
16 authority, or the proceeds of a bond or other indebtedness.

17 (g) *The authority and the department shall amend the*
18 *cooperative agreement required by Section 30952 to incorporate*
19 *the following project oversight and control responsibilities*
20 *relative to the Regional Measure 1 and toll bridge seismic*
21 *retrofit programs:*

22 (1) *The authority shall have budgetary authority over the*
23 *Regional Measure 1 and toll bridge seismic retrofit programs,*
24 *including establishing budgets for capital outlay and support*
25 *costs and approving contract change orders and claims and*
26 *adopting budget changes.*

27 (2) *The department shall develop specifications and bid*
28 *documents, shall issue bids, and shall award contracts for*
29 *construction and design services for the Regional Measure 1 and*
30 *seismic retrofit program projects. All contract specifications and*
31 *bid documents shall be reviewed and approved by the authority*
32 *prior to release. At the authority's option, the department shall*
33 *assign the development of specifications and bid documents to,*
34 *and the issuance of bids and the award of contracts to, the*
35 *authority or to another public entity as identified and approved*
36 *by the authority.*

37 (3) *The department shall be responsible for project design and*
38 *construction management for the Regional Measure 1 and*
39 *seismic retrofit program projects. The authority shall contract*
40 *with and oversee one or more private consulting firms to provide*

1 *those services. The authority's project oversight and control*
2 *process shall include, but not be limited to, reviewing bid*
3 *specifications and documents, providing field staff to review*
4 *ongoing cost and schedule estimating and scope control,*
5 *reviewing all change orders and claims, and preparing project*
6 *reports. The authority's project oversight and control services*
7 *shall be an eligible expense from all toll revenues levied*
8 *pursuant to ____.*

9 *(4) The authority and the department shall establish the Toll*
10 *Bridge Program Board of Control, which shall include the*
11 *Director of Transportation or designee and the authority's*
12 *executive director or designee. The Toll Bridge Program Board*
13 *of Control shall review and approve key program staff, project*
14 *staffing structures, and consultant and contractor services*
15 *related to the Regional Measure 1 and toll bridge seismic retrofit*
16 *programs. The Toll Bridge Program Board of Control shall*
17 *establish a program management oversight group, which shall*
18 *include an authority program director and a department*
19 *program director. The oversight group shall meet regularly to*
20 *review project status, review program costs and schedules,*
21 *resolve project issues, evaluate project changes, and provide*
22 *program direction, and shall report to the Toll Bridge Program*
23 *Board of Control.*

24 *(5) The department shall provide quarterly reports to the*
25 *Legislature, and monthly reports to the authority, including, but*
26 *not limited to, the construction status, actual expenditures, and*
27 *forecasted costs and schedules for each of the Regional Measure*
28 *1 and seismic retrofit program projects. All reports provided by*
29 *the department to the Legislature shall first be reviewed and*
30 *approved by the Toll Bridge Program Board of Control.*

31 *(h) To ensure that the department manages the risks associated*
32 *with the toll bridge seismic retrofit projects, the department shall,*
33 *at minimum, take all of the following actions:*

34 *(1) Establish a comprehensive risk management plan that*
35 *clearly defines roles and responsibilities for risk management and*
36 *addresses the process by which it will identify and quantify*
37 *project risks, implement and track risk response activities, and*
38 *monitor and control risks throughout the duration of the project.*

39 *(2) Quantify the effect of identified risks in financial terms.*

- 1 (3) Develop and maintain documents to track identified risks
2 and related mitigation steps.
- 3 (4) Regularly update its estimates of capital and support costs.
- 4 (5) Regularly reassess its reserves for potential claims and
5 unknown risks, incorporating information related to risks
6 identified and quantified through its risk assessment processes.
- 7 (6) Regularly integrate estimates for capital, support costs, and
8 contingency reserves into a programwide report.
- 9 (7) Submit quarterly status reports to the Legislature.
- 10 (8) Ensure that reports to the Federal Highway Administration
11 and others reflect current data and provide an accurate
12 representation of the project's status.
- 13 (9) When key events occur, quickly inform the Legislature and
14 others describing the effects of these key events on the project's
15 overall budget and schedule.
- 16 ~~(h)~~
- 17 (i) (1) Commencing January 1, 2004, and quarterly thereafter
18 until completion of all applicable projects, the department shall
19 provide quarterly seismic reports within 45 days of the end of
20 each quarter to the transportation committees of both houses of
21 the Legislature and to the commission for each of the toll bridge
22 seismic retrofit projects in subdivision (a).
- 23 (2) The report shall include details of each toll bridge seismic
24 retrofit project and all information necessary to clearly describe
25 the status of the project, including, but not limited to, all of the
26 following:
- 27 (A) A progress report.
- 28 (B) The baseline budget for support and capital outlay
29 construction costs that the department assumed at the time that
30 Chapter 907 of the Statutes of 2001 was enacted.
- 31 (C) The current or projected budget for support and capital
32 outlay construction costs.
- 33 (D) Expenditures to date for support and capital outlay
34 construction costs.
- 35 (E) A comparison of the current or projected schedule and the
36 baseline schedule that was assumed at the time that Chapter 907
37 of the Statutes of 2001 was enacted.
- 38 (F) A summary of milestones achieved during the quarterly
39 period and any issues identified and actions taken to address
40 those issues.

1 (3) The report described in paragraph (1) shall also include a
2 programwide summary of the program's budget status for
3 support and capital outlay construction costs.

4 (i)

5 (j) (1) Commencing on January 1, 2004, and quarterly
6 thereafter until completion of all applicable projects, the
7 department shall provide quarterly seismic reports to the
8 transportation committees of both houses of the Legislature and
9 to the commission for other seismic retrofit programs.

10 (2) The reports shall include all of the following:

11 (A) A progress report for each program.

12 (B) The program baseline budget for support and capital
13 outlay construction costs.

14 (C) The current or projected program budget for support and
15 capital outlay construction costs.

16 (D) Expenditures to date for support and capital outlay
17 construction costs.

18 (E) A comparison of the current or projected schedule and the
19 baseline schedule.

20 (F) A summary of milestones achieved during the quarterly
21 period and any issues identified and actions taken to address
22 those issues.

23 *SEC. 2. If the Commission on State Mandates determines that*
24 *this act contains costs mandated by the state, reimbursement to*
25 *local agencies and school districts for those costs shall be made*
26 *pursuant to Part 7 (commencing with Section 17500) of Division*
27 *4 of Title 2 of the Government Code.*

ASSEMBLY BILL

No. 1406

Introduced by Assembly Member Karnette

February 22, 2005

An act to add Section 1750 to the Harbors and Navigation Code, relating to ports and harbors.

LEGISLATIVE COUNSEL'S DIGEST

AB 1406, as introduced, Karnette. Ports and harbors: freight security fee.

Existing law requires the Governor to appoint, to serve at his or her pleasure, an executive officer as the Director of Homeland Security. Existing law requires the director to be in charge of homeland security and to be the state coordinator of all homeland security activities, including homeland security strategy, information analysis related to terrorism, and protection of critical infrastructure from terrorism.

This bill, on and after January 1, 2007, would impose a fee of \$10 per intermodal freight container on every freight container processed through a port or harbor in the state. The bill would require the fee to be paid to the marine terminal operator processing the container by the person contracting for shipment of the container.

The bill would require each marine terminal operator in the state that processes freight containers to transmit the fees and certain related information to the Office of Homeland Security (OHS) on or before the 10th business day of each month.

The bill would require OHS to deposit all revenue derived from imposition of the fee in the Port Security and Safety Fund, which the bill would establish in the State Treasury.

The bill would require the money in the fund, upon appropriation, to be expended by OHS exclusively for the purpose of preventing and

defending against homeland security risks relating to freight activity at state ports and harbors, including funding certain grants approved by OHS.

The bill would prohibit OHS from expending more than 5% of the revenue derived from imposition of the fee to cover its administrative costs incurred as a result of implementing these provisions, including repaying loans from the General Fund made as specified below.

The bill would authorize OHS to receive a loan from the General Fund to implement these provisions pending receipt of revenue generated from imposition of the fee. The bill would require any loan received by OHS from the General Fund, as specified, to be repaid not more than one year after receipt of the loan, with the funds specified above.

The bill would require OHS, on or before January 1, 2007, to establish a grant program to fund proposals from public or private entities to improve freight security at the state's ports and harbors.

The bill would require OHS to allocate funds under these provisions on a quarterly basis. The bill would require that all funds received by OHS under these provisions be allocated not more than one year after receipt.

The bill would set forth a statement of legislative intent to authorize OHS to issue revenue bonds funded with revenue derived from imposition of the fee to generate additional revenue for the purposes of these provisions.

The bill would authorize OHS to prohibit a person who has failed to comply with these requirements from future use of state ports and harbors.

The bill would require OHS, on or before June 1, 2006, to provide a report to the Governor and the Legislature regarding administrative actions that would facilitate implementation of these provisions.

The bill would require OHS, on or before January 1, 2008, to report to the Governor and the Legislature regarding the appropriate amount for a fee on noncontainerized cargo to fund security improvements at state ports and harbors.

The bill would authorize OHS to collaborate with other governmental entities to implement these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1750 is added to the Harbors and
2 Navigation Code, to read:

3 1750. (a) On and after January 1, 2007, a fee of ten dollars
4 (\$10) per freight container is hereby imposed on every
5 intermodal freight container processed through a port or harbor in
6 the state. The fee shall be paid to the marine terminal operator
7 processing the container by the person contracting for shipment
8 of the container.

9 (b) Each marine terminal operator in the state that processes
10 freight containers shall transmit all of the following to the State
11 Office of Homeland Security (OHS) on or before the 10th
12 business day of each month:

13 (1) All fees collected under subdivision (a) during the previous
14 month.

15 (2) A list of all freight containers processed by the marine
16 terminal operator during the previous month.

17 (3) Proof satisfactory to OHS that the fee was imposed on
18 each container listed under paragraph (2).

19 (c) (1) OHS shall deposit all revenue derived from imposition
20 of the fee in the Port Security and Safety Fund, which is hereby
21 established in the State Treasury.

22 (2) Upon appropriation, the money in the fund shall be
23 expended by OHS exclusively for the purpose of preventing and
24 defending against homeland security risks relating to freight
25 activity at state ports and harbors, including, but not limited to,
26 funding grants approved under subdivision (e), except as
27 authorized under paragraph (3).

28 (3) OHS may expend not more than 5 percent of the revenue
29 derived from imposition of the fee to cover its administrative
30 costs incurred as a result of implementing this section, including
31 but not limited to, repaying any loans from the General Fund
32 made under subdivision (d).

33 (d) OHS may receive a loan from the General Fund to
34 implement this section pending receipt of revenue generated
35 from imposition of the fee. Any loan received under this
36 subdivision shall be repaid not more than one year after receipt of
37 the loan, with the funds described in paragraph (3) of subdivision
38 (c).

1 (e) On or before January 1, 2007, OHS shall establish a grant
2 program to fund proposals from public or private entities to
3 improve freight security at the state's ports and harbors.

4 (f) (1) OHS shall allocate funds under this section on a
5 quarterly basis.

6 (2) All funds received by OHS under this section shall be
7 allocated not more than one year after receipt.

8 (g) It is the intent of the Legislature to authorize OHS to issue
9 revenue bonds funded with revenue derived from imposition of
10 the fee to generate additional revenue for the purposes of this
11 section.

12 (h) OHS may prohibit a person who has failed to comply with
13 the requirements of this section from future use of state ports and
14 harbors.

15 (i) (1) On or before June 1, 2006, OHS shall provide a report
16 to the Governor and the Legislature regarding administrative
17 actions that would facilitate implementation of this section.

18 (2) On or before January 1, 2008, OHS shall report to the
19 Governor and the Legislature regarding the appropriate amount
20 for a fee on noncontainerized cargo to fund security
21 improvements at state ports and harbors.

22 (j) OHS may collaborate with other governmental entities to
23 implement this section.

Introduced by Senator Lowenthal

February 22, 2005

An act to add Section 1745 to the Harbors and Navigation Code, relating to ports.

LEGISLATIVE COUNSEL'S DIGEST

SB 760, as introduced, Lowenthal. Ports: congestion relief: security enhancement: environmental mitigation: user fee.

(1) Existing law regulates the operation of ports and harbors.

This bill would impose on each shipping container processed in the Port of Los Angeles and the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit (TEU), payable to the port by the marine terminal operator processing the container.

The bill would require the ports to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 to the California Transportation Commission and 1/2 to the South Coast Air Quality Management District.

The bill would require the commission to use the funds received under these provisions to alleviate congestion on the highways serving the ports by improving the rail system that transports shipments from and to those ports and the on-dock rail facilities at those ports.

The bill would prohibit commission from using the funds to construct, maintain, or improve highways.

The bill would require the commission to consult with the transportation commissions for the Counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura in the process for selecting projects for funding.

The bill would require the ports to use the funds retained as specified above exclusively for the purpose of funding projects to

improve the security of the ports, including the screening of shipping containers.

The bill would require the ports, in selecting projects for funding, to consult with the United States Coast Guard, the federal Department of Homeland Security, the Office of Homeland Security, and other state and federal agencies that may assist the ports in determining which projects are best suited to protecting the ports and their surrounding communities.

The bill would require the South Coast Air Quality Management District to use the funds receive under these provisions to mitigate environmental pollution caused by the movement of cargo to and from the ports via commercial motor vehicles, ocean-going vessels, and rail.

The bill would authorize projects funded by the district to be limited to reducing emission from sources located at the ports, to include replacing highly-polluting engines with cleaner engines and retiring the engines that have been replaced, assisting the ports with implementing or enhancing the use of cold-iron technology, and other projects that the district determines reduce emissions from sources located at the ports.

The bill would establish a state-mandated local program by imposing these additional duties upon the ports.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1745 is added to the Harbors and
- 2 Navigation Code, to read:
- 3 1745. (a) The Legislature hereby finds and declares all of the
- 4 following:

1 (1) There is a need to mitigate the enormous burden imposed
2 on the highway transportation system serving the Ports of Los
3 Angeles and Long Beach by the overland movement of cargo
4 shipped from and to those ports.

5 (2) Due to unanticipated growth at the ports and new federal
6 security requirements that are applicable to those ports, it is
7 necessary to enhance the security of the ports.

8 (3) The operation of the ports causes environmental pollution
9 that requires mitigation.

10 (4) Accordingly, it is the intent of the Legislature to alleviate
11 these burdens by imposing a fee on shipping containers
12 processed through those ports and using the funds derived
13 therefrom to do all of the following:

14 (A) Improve the rail system that serves as an alternative to
15 shipping via the highway by commercial vehicle, including, but
16 not limited to, the on-dock rail facilities at those ports.

17 (B) Enhance the security at the ports.

18 (C) Mitigate the environmental pollution caused by port
19 operations.

20 (b) There is hereby imposed on each shipping container
21 processed in the Port of Los Angeles and the Port of Long Beach
22 a fee of thirty dollars (\$30) per twenty-foot equivalent unit
23 (TEU), payable to the port by the marine terminal operator
24 processing the container.

25 (c) The Port of Los Angeles and the Port of Long Beach shall
26 retain one-third of the funds received under subdivision (b) and
27 shall transmit the remaining two-thirds on a quarterly basis as
28 follows:

29 (1) One-half to the California Transportation Commission.

30 (2) One-half to the South Coast Air Quality Management
31 District.

32 (d) (1) The California Transportation Commission shall use
33 the funds received under paragraph (1) of subdivision (c) to
34 alleviate congestion on the highways serving the Ports of Los
35 Angeles and Long Beach by improving the rail system that
36 transports shipments from and to those ports and the on-dock rail
37 facilities at those ports.

38 (2) The funds received by the commission shall not be used to
39 construct, maintain, or improve highways.

1 (3) In the process for selecting projects for funding under this
2 subdivision, the commission shall consult with the transportation
3 commissions for the Counties of Los Angeles, Orange, Riverside,
4 San Bernardino, and Ventura.

5 (4) Projects that may be funded under this subdivision include,
6 but are not limited to, all of the following:

7 (A) Rail grade separations to relieve highway congestion.

8 (B) Expansion of on-dock rail facilities.

9 (C) Other projects that facilitate the movement of cargo by rail
10 and thus alleviate congestion on highways serving the ports.

11 (e) (1) The ports shall use the funds retained under subdivision
12 (c) exclusively for the purpose of funding projects to improve the
13 security of the ports, including, but not limited to, the screening
14 of shipping containers.

15 (2) In selecting projects for funding under this subdivision, the
16 ports shall consult with the United States Coast Guard, the
17 federal Department of Homeland Security, the Office of
18 Homeland Security, and other state and federal agencies that may
19 assist the ports in determining which projects are best suited to
20 protecting the ports and their surrounding communities.

21 (f) (1) The South Coast Air Quality Management District shall
22 use the funds received under paragraph (2) of subdivision (c) to
23 mitigate environmental pollution caused by the movement of
24 cargo to and from the ports via commercial motor vehicles,
25 ocean-going vessels, and rail.

26 (2) Projects funded by the district under this subdivision shall
27 be limited to reducing emission from sources located at the ports
28 and may include, but need not be limited to, all of the following:

29 (A) Replacing high-polluting engines with cleaner engines and
30 retiring the engines that have been replaced.

31 (B) Assisting the ports with implementing or enhancing the
32 use of cold-iron technology.

33 (C) Other projects that the district determines reduce
34 emissions from sources located at the ports.

35 SEC. 2. If the Commission on State Mandates determines that
36 this act contains costs mandated by the state, reimbursement to
37 local agencies and school districts for those costs shall be made
38 pursuant to Part 7 (commencing with Section 17500) of Division
39 4 of Title 2 of the Government Code.

AMENDED IN SENATE APRIL 12, 2005

AMENDED IN SENATE APRIL 4, 2005

SENATE BILL

No. 601

Introduced by Senator Soto

February 18, 2005

An act to add Chapter 13.1 (commencing with Section 8890) to Division 1 of Title 2 of the Government Code, relating to transportation by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

LEGISLATIVE COUNSEL'S DIGEST

SB 601, as amended, Soto. Build California Bond Act of 2006.

Existing law, the Traffic Congestion Relief Act of 2000, creates the Traffic Congestion Relief Fund and continuously appropriates its revenue to the Department of Transportation for projects to relieve traffic congestion and to provide additional funding for local street and road deferred maintenance.

This bill would enact the Build California Bond Act of 2006 to authorize \$3 billion in state general obligation bonds for specified projects, including construction of highway and public transportation projects that are significant for the state, reduce congestion, provide for safety and facilitate the movement of goods into, through, and out of state.

The bill would require the Secretary of State to submit the proposed bond measure to the voters at the next statewide election.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Our state's highways, public transportation systems, and
4 rail systems drive our economy, enabling all industries to achieve
5 growth and productivity that makes California strong and
6 prosperous.

7 (b) The establishment, maintenance, and improvement of the
8 state's transportation network is a priority; for economic,
9 environmental, energy, security, and other reasons.

10 (c) The ability to move people and goods is critical to
11 maintaining state, metropolitan, rural, and local economies.

12 (d) The construction of infrastructure requires the skills of
13 numerous occupations, including those in the contracting,
14 engineering, planning and design, materials supply,
15 manufacturing, distribution, and safety industries.

16 (e) Investing in transportation infrastructure creates long-term
17 capital assets for the nation that will help California address its
18 enormous infrastructure needs and improve its economic
19 productivity.

20 (f) Investment in transportation infrastructure creates jobs and
21 spurs economic activity to put people back to work and stimulate
22 the economy.

23 (g) Every \$1 billion in transportation investment has the
24 potential to create up to 47,500 jobs.

25 (h) Every dollar invested in the nation's transportation
26 infrastructure yields at least five dollars and seventy cents
27 (\$5.70) in economic benefits because of reduced delays,
28 improved safety, and reduced vehicle operating costs.

29 (i) The proposed increases to the Transportation Equity Act
30 for the 21st Century (TEA-21) will not be sufficient to
31 compensate for the state's transportation infrastructure deficit.

32 (j) The purpose of this act is to provide financing for
33 long-term infrastructure capital investments that are not currently
34 being met by existing transportation and infrastructure
35 investment programs, including projects of state significance,
36 multistate transportation corridors, intermodal transportation
37 facilities, and transportation and security improvements to
38 highways, public transportation systems, and rail systems.

SEC. 2. Chapter 13.1 (commencing with Section 8890) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 13.1. BUILD CALIFORNIA BOND ACT OF 2006

Article 1. General Provisions

8890. This chapter shall be known, and may be cited, as the Build California Bond Act of 2006.

Article 2. Build California Bond Finance Program

8890.10. (a) The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Build California 2006 Construction Bond Fund, which is hereby established in the State Treasury. Unless otherwise specified, the money in the fund shall be available for appropriation by the Legislature, in the manner set forth in this chapter.

(b) Moneys in the fund shall be used for qualified projects, projects of regional and national significance, and for the design and construction of highway and public transportation projects that are significant for the state, reduce congestion, provide for safety, and facilitate the movement of goods into, through, and out of the state.

8890.11. For purposes of this chapter, the following definitions shall apply:

(a) "Qualified project" means any highway project approved by the California Transportation Commission that is:

(1) A project of regional or national significance that enhances the movement of goods or services, *including, but not limited to, truck lanes and railroad highway grade separations.*

(2) A multistate corridor program.

(3) Border planning, operations, technology, and capacity improvement program.

(4) A freight intermodal connector project.

(b) "Projects of regional and national significance" means the eligible costs of any surface transportation project which is eligible for federal assistance under Title 23 of the United States Code, including any freight rail project and activity eligible under that title.

1 (c) "Eligible activities" means:

2 (1) Highway and multimodal planning or environmental
3 studies.

4 (2) Cross-border port of entry and safety inspections
5 improvements, including operational enhancements and
6 technology applications.

7 (3) Technology and information exchange activities.

8 (4) Right-of-way acquisition, design, and construction, as
9 needed to implement the enhancements to decrease air pollution
10 emissions from vehicles or inspection facilities at border
11 crossings, or to increase highway capacity at or near international
12 borders.

13
14 Article 3. Fiscal Provisions

15
16 8890.15. ~~(a)~~ Bonds in the total amount of \$3 billion, or so
17 much thereof as is necessary, not including the amount of any
18 refunding bonds, or so much thereof as is necessary, may be
19 issued and sold to provide funds to be used for carrying out the
20 purposes expressed in this chapter and to be used to reimburse
21 the General Obligation Bond Expense Revolving Fund pursuant
22 to Section 16724.5 of the Government Code. The bonds, when
23 sold, shall be and constitute a valid and binding obligation of the
24 State of California, and the full faith and credit of the State of
25 California is hereby pledged for the punctual payment of both
26 principal of, and interest on, the bonds as the principal and
27 interest become due and payable.

28 8890.16. The bonds authorized by this chapter shall be
29 prepared, executed, issued, sold, paid, and redeemed as provided
30 in the State General Obligation Bond Law (Chapter 4
31 (commencing with Section 16720) of Part 3 of Division 4 of Title
32 2 of the Government Code) and all of the provisions of that law
33 apply to the bonds and to this chapter and are hereby
34 incorporated in this chapter as though set forth in full in this
35 chapter.

36 8890.17. (a) For the purposes of authorizing the issuance of a
37 sale pursuant to the State General Obligation Bond Law of the
38 bonds authorized by this chapter, the Build California Bond 2006
39 Finance Committee is hereby established. The committee shall
40 consist of the Chair of the California Infrastructure and

1 Economic Development Bank (I-Bank), the Treasurer, the
2 Controller, two members appointed by the Legislature (one-
3 Senate, one- Assembly), three private industry members
4 appointed by the Governor ~~and~~, a member of the California
5 Transportation Commission, *and two members from the*
6 *California Association of Governments, one of whom represents*
7 *the regional transportation authorities and the other of whom*
8 *represents the metropolitan planning organizations.*

9 (b) The committee shall determine whether or not it is
10 necessary or desirable to issue bonds authorized pursuant to this
11 chapter in order to carry out the program prescribed and, if so,
12 the amount of bonds to be issued and sold. Successive issues of
13 bonds may be authorized and sold to carry out those actions
14 progressively, and it is not necessary that all of the bonds
15 authorized to be issued be sold at any one time.

16 8890.18. There shall be collected each year and in the same
17 manner and at the same time as other state revenue is collected,
18 in addition to the ordinary revenues of the state, a sum in an
19 amount required to pay the principal of, and interest on, the
20 bonds each year. It is the duty of all officers charged by law with
21 any duty in regard to the collection of the revenue to do and
22 perform each and every act that is necessary to collect that
23 additional sum.

24 8890.19. Notwithstanding Section 13340 of the Government
25 Code, there is hereby appropriated from the General Fund in the
26 State Treasury, for the purposes of this chapter, an amount that
27 will equal the total of the following:

28 (a) The sum annually necessary to pay the principal of, and
29 interest on, bonds issued and sold pursuant to this chapter, as the
30 principal and interest become due and payable.

31 (b) The sum necessary to carry out Section 129636, which
32 sum shall be appropriated without regard to fiscal years.

33 8890.20. For purposes of carrying out this chapter, the
34 Director of Finance may authorize the withdrawal from the
35 General Fund of an amount not to exceed the amount of the
36 unsold bonds that have been authorized by the committee to be
37 sold for the purpose of carrying out this chapter. Any amounts
38 withdrawn shall be deposited in the fund. Any money made
39 available under this section shall be returned to the General Fund

1 from proceeds received from the sale of bonds for the purpose of
2 carrying out this chapter.

3 8890.21. All money deposited in the fund that is derived from
4 premium and accrued interest on bonds sold shall be reserved in
5 the fund and shall be available for transfer to the General Fund as
6 a credit to expenditures for bond interest.

7 8890.22. Pursuant to Chapter 4 (commencing with Section
8 16720) of Part 3 of Division 4 of Title 2 of the Government
9 Code, the cost of bond issuance shall be paid out of the bond
10 proceeds. These costs shall be shared proportionately by each
11 program funded through this bond act.

12 8890.23. The committee may request the Pooled Money
13 Investment Board to make a loan from the Pooled Money
14 Investment Account, including other forms of interim financing
15 that include, but are not limited to, commercial paper, in
16 accordance with Section 16312 of the Government Code, for the
17 purposes of carrying out this chapter. The amount of the request
18 shall not exceed the amount of the unsold bonds that the
19 committee, by resolution, has authorized to be sold for the
20 purpose of carrying out this chapter. The committee shall execute
21 any documents required by the Pooled Money Investment Board
22 to obtain and repay the loan. Any amounts loaned shall be
23 deposited in the fund to be allocated by the office in accordance
24 with this chapter.

25 8890.24. The bonds may be refunded in accordance with
26 Article 6 (commencing with Section 16780) of Chapter 4 of Part
27 3 of Division 4 of Title 2 of the Government Code, which is part
28 of the State General Obligation Bond Law. Approval by the
29 voters of the state for the issuance of the bonds described in this
30 chapter includes the approval of the issuance of any bonds issued
31 to refund any bonds originally issued under this chapter or any
32 previously issued refunding bonds.

33 8890.25. Notwithstanding any other provision of this chapter
34 or of the State General Obligation Bond Law, if the Treasurer
35 sells bonds pursuant to this chapter that include a bond counsel
36 opinion to the effect that the interest on the bonds is excluded
37 from gross income for federal tax purposes, subject to designated
38 conditions, the Treasurer may maintain separate accounts for the
39 investment of bond proceeds and for the investment of earnings
40 on those proceeds. The Treasurer may use or direct the use of the

1 proceeds or earnings to pay any rebate, penalty, or other payment
2 required under federal law or take any other action with respect
3 to the investment and use of those bond proceeds required or
4 desirable under federal law to maintain the tax-exempt status of
5 those bonds and to obtain any other advantage under federal law
6 on behalf of the funds of this state.

7 8890.26. The Legislature hereby finds and declares that,
8 inasmuch as the proceeds from the sale of bonds authorized by
9 this chapter are not "proceeds of taxes" as that term is used in
10 Article XIII B of the California Constitution, the disbursement of
11 these proceeds is not subject to the limitations imposed by that
12 article.

13 SEC. 3. Section 2 of this act shall take effect upon the
14 approval by the voters of the Build California Bond Act of 2006.

15 SEC. 4. This act shall be submitted to the voters at the next
16 statewide election in accordance with the provisions of the
17 Government Code and the Elections Code governing the
18 submission of a statewide measure to the voters.

19 SEC. 5. (a) Notwithstanding any other provision of law, all
20 ballots of the election shall have printed thereon and in a square
21 thereof, the words: "Build California Bond Act of 2006," and in
22 the same square under those words, the following in 8-point type:
23 "This act provides for a bond issue of \$3 billion to provide funds
24 ~~for construction, retrofit, and replacement of hospital facilities.~~"
25 *for construction of transportation projects to enhance the*
26 *movement of goods and to reduce traffic congestion."* Opposite
27 the square, there shall be left spaces in which voters may place a
28 cross in the manner required by law to indicate whether they vote
29 for or against the act.

30 (b) Where voting in the election is done by means of voting
31 machines used pursuant to law in a manner that carries out the
32 intent of this section, the use of the voting machines and the
33 expression of the voters' choice by means thereof are in
34 compliance with this act.

ASSEMBLY BILL

No. 1552

Introduced by Assembly Member La Suer

February 22, 2005

An act to amend Section 132351.1 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1552, as introduced, La Suer. San Diego Consolidated Transportation Agency.

Existing law establishes the San Diego Consolidated Transportation Agency and provides that it is the designated transportation agency for its area. Existing law provides that the consolidated agency is governed by a board of 20 members selected from specified areas within the county.

This bill would include another county member the chair of the San Diego County Board of Supervisors is an appointed representative on the board and he or she is from a district that is substantially an incorporated or unincorporated area. The bill would make related changes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 132351.1 of the Public Utilities Code is
- 2 amended to read:
- 3 132351.1. (a) A board of directors consisting of 20 members
- 4 shall govern the consolidated agency.

1 (b) All powers, privileges, and duties vested in or imposed
2 upon the consolidated agency shall be exercised and performed
3 by and through a board of directors provided, however, that the
4 exercise of all executive, administrative, and ministerial power
5 may be delegated and redelegated by the board, to any of the
6 offices, officers, or committees created pursuant to this chapter or
7 created by the board acting pursuant to this chapter.

8 (c) The board shall be composed of one primary representative
9 selected by the governing body of each city in the county and a
10 member of the San Diego County Board of Supervisors to serve
11 until recalled by the governing body of the city or county. The
12 City of San Diego shall have two primary representatives. Each
13 director shall be a mayor, councilperson, or supervisor of the
14 governing body which selected him or her. Vacancies shall be
15 filled in the same manner as originally selected. Each city or
16 county shall also select in the same manner as the primary
17 representative one alternate to serve on the board when the
18 primary representative is not available. The alternate shall be
19 subject to the same restrictions and have the same powers, when
20 serving on the board, as the primary representative.

21 (d) At its discretion, each city and county may select a second
22 alternate, in the same manner as the primary representative, to
23 serve on the board in the event that neither the primary
24 representative nor the regular alternate is able to attend a meeting
25 of the board. This alternate shall be subject to the same
26 restrictions and have the same powers, when serving on the
27 board, as the primary representative.

28 (e) The board may allow for the appointment of advisory
29 representatives to sit with the board but in no event shall said
30 representatives be allowed a vote. The current advisory
31 representatives to the San Diego Association of Governments
32 may continue his or her advisory representation on the
33 consolidated agency at their discretion. The County of Imperial
34 and the cities in that county may collectively designate an
35 advisory representative to sit with the board.

36 (f) *Notwithstanding subdivision (a), in those years when the*
37 *chair of the San Diego County Board of Supervisors is from a*
38 *district that is substantially an incorporated area and is*
39 *appointed the representative to the board, a supervisor that*
40 *represents a district that is substantially an unincorporated area*

1 *shall also be appointed to the board. Alternatively, in those years*
2 *when the chair of the San Diego County Board of Supervisors is*
3 *from a district that is substantially an unincorporated area and is*
4 *appointed the representative to the board, a supervisor that*
5 *represents a district that is substantially an incorporated area*
6 *shall also be appointed to the board. For voting purposes, the*
7 *county vote on the board shall remain with the chair, but when a*
8 *weighted vote is used the vote shall be divided equally between*
9 *the two members. The county vote and the full weighted vote*
10 *shall transfer to the sole member present if the other member is*
11 *absent during a board vote.*

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AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 426

Introduced by Assembly Member Bogh
(Principal coauthor: Assembly Member Benoit)

February 15, 2005

An act to add Section 21655.1 to the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 426, as amended, Bogh. HOV lanes.

Existing law authorizes the Department of Transportation or local agencies with respect to highways under their respective jurisdictions to designate certain lanes for exclusive use by high-occupancy vehicles (HOVs).

This bill would require the department and local agencies to convert all HOV lanes *on state highways in the County of Riverside* that currently operate on a 24-hour basis into part-time HOV lanes that operate as mixed-flow lanes except during peak periods, subject to any required approvals of the federal government.

~~The bill would thereby impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~ no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21655.1 is added to the Vehicle Code,
- 2 to read:
- 3 21655.1. The department and local authorities, with respect to
- 4 ~~highways under their respective jurisdictions~~ *state highways in*
- 5 *the County of Riverside*, shall convert all high-occupancy vehicle
- 6 lanes that currently operate on a 24-hour basis into part-time
- 7 high-occupancy vehicle lanes that operate as mixed-flow lanes
- 8 except during peak periods, subject to any required approvals of
- 9 the federal government.
- 10 ~~SEC. 2. If the Commission on State Mandates determines that~~
- 11 ~~this act contains costs mandated by the state, reimbursement to~~
- 12 ~~local agencies and school districts for those costs shall be made~~
- 13 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
- 14 ~~4 of Title 2 of the Government Code.~~

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MEMO

DATE: May 5, 2005

TO: Regional Council

FROM: Mark Butala, Senior Regional Planner, 213-236-1945, butala@scag.ca.gov

SUBJECT: Compass Partnership

SUMMARY:

In June 2004, The Regional Council approved the creation of a new Compass Task Force to guide the implementation of the Compass program.

The Compass Partnership will be established with representatives from the private and public sectors to serve as an extension of the Compass program into local communities. Its goals are as follows:

1. Stimulate the 2% Strategy Implementation, Monitoring & Consensus Building activities.
2. Mobilize private and non-profit interests to increase awareness and promote the Compass Regional Vision using their existing networks.
3. Advise SCAG as a regional agency on potential opportunities for SCAG to assume a leadership role for Compass and other activities.
4. Assist in interacting with state and federal officials and agencies for policy development and legislative opportunities

BACKGROUND:

Compass Partnership

Compass, with its bottom-up growth visioning process, has ushered a new level of coordination and integrated planning in the Southland. In implementing the Compass Vision, SCAG has a great opportunity to further enhance relationships with not only the many local governments and other public agencies, but also with the private sector, including business leaders, professional organizations, educational institutions, and many others. Coordination and integration is vital to the successful realization of the goals and strategies outlined in the vision, and to the long-term success of SCAG and its partners.

What is *Compass Partnership* and what does it do?

Compass Partnership is a new SCAG initiative dedicated to working with the private sector on issues affecting the mobility and prosperity of all residents, livability for all communities, and the sustainability of the SCAG region.

The program aims to work with the private sector in the development of:

- **Innovative ways to implement land use and transportation projects.** The Compass Growth Vision demonstrated the significant benefits of an integrated approach to land use and transportation projects. Additionally, throughout the region, many new developments are taking advantage of key new transit infrastructure to provide housing, employment and retail opportunities in underdeveloped areas, providing the efficient use of existing infrastructure resources while creating livable communities.

MEMO

- **Incentive-based approaches to planning.** Regulation, while needed in many instances, in others it can act as an obstacle to creative solutions. SCAG is working to implement the Compass Vision in large part by providing incentives for its partners as well as the private sector to invest resources in strategic areas that bring the most benefits to the region.
- **Innovative finance mechanisms.** Developing innovative ways to finance transit supportive and other infill projects within Compass 2% Opportunity Areas is a critical component of a successful implementation strategy. The program will rely on identifying ways to attract private investment through new or revamped funding strategies and public sector regulations supportive of local market conditions.
- **Opportunities for public-private partnerships.** Solutions to complex regional problems often require that the private and public sectors team up in creative partnerships that result in mutually beneficial outcomes. Many of the most exciting new developments in the region have benefited from some type of cooperation between these two sectors.
- **Policies and legislative directives that bring prosperity to the region.** Policies need to be responsive to the needs and requirements of the business sector. Working together, SCAG and business leaders can devise policies that utilize the power of the market and input from the private sector to solve problems facing the region.
- **Avenues for effective communication.** SCAG understands that “magical” things can happen when different sectors of society sit around a table to discuss common problems and share information. SCAG aims to develop a diverse set of formats for business leaders to freely discuss issues important to the private sector as well as develop *Compass Partnership* into the avenue of choice for the acquisition of regional information.

Why is *Compass Partnership* important to the private sector?

The Southern California region is the second largest metropolis in the country, and one of its most diverse. While it contains one of the world’s most dynamic economies, it is also holder of some less fortunate traits, such as being the most congested region in the country and a national leader for air pollution. The latest Census also revealed that the region has the highest percentage of people living in poverty of all the major metropolitan regions in the country.

The region is challenged by both a high population growth rate and substantial physical constraints. The same reasons that make the region so appealing (beaches, mountains) create limiting barriers to physical growth. Nonetheless the region will grow significantly over the next 30 years, bringing daunting challenges.

Increasingly, regional challenges are complex, with causes and solutions intertwined across political authorities, jurisdictions and all sectors of society. Cooperation and coordination on a much wider scale than has been practiced in the past is required to address this complexity.

Regional Issues Affect the Regional Economy

Some of the most important issues facing the region deeply affect the private sector. They include:

- **Congestion.** Between 1990 and 2000, the number of vehicle miles of travel per person almost doubled, despite growth having slowed down considerably. This led to the increase in the average commute time from 26 to 29 minutes, remaining considerably higher than both the state and national averages. If current projections continue, daily vehicle hours of delay will more than double from 1.6 million to 3.6 million in 2030. This will result in billions of additional dollars lost in time spent stuck in traffic.

MEMO

- **Air pollution.** Despite significant air quality improvements in the region in the last 30 years, the Southern California region is still, and will continue to be, challenged with air pollution. Maximum pollutant concentrations still exceed the federal standards for ozone, carbon monoxide and particulate matter. Pollution abatement programs are very costly to industry and can be proved useless unless all sectors of society work together to create a long-term strategy to solve the problem of air pollution.
- **Workforce housing.** The cost of living has soared throughout the region, causing an affordability crisis for low-income households and increasingly for middle-income families seeking single-family homes. This is especially true in the coastal and jobs-rich areas of the region. The supply of affordable, quality housing is a key component to attract and maintain a healthy workforce in the region.
- **Freight mobility.** Truck access directly to the ports contributes to severe congestion on the freeway system and to poor air quality in the region. Additionally, the region is experiencing increasingly larger volumes of rail and truck freight. The surface road network plays a significant role in distributing freight destined for local markets. Delays in product delivery and additional distance traveled pose heavy costs to the regional economy.
- **Livable communities.** Population growth continues to threaten our valuable environmental assets. Today, some hillsides not long ago considered too steep for development are now sprouting houses. Some areas of the region provide few opportunities for experiencing the outdoors. A livable region is what attracted millions of workers and families to the region in the first place. It is now more important than ever, to effectively compete in the new global economy, that the region maintain and enhance its significant environmental amenities.

Organization Structure


Compass Partnership will be led by a commission that would act semi-independently of SCAG. This commission would be made of representatives from the private and public sectors, including SCAG members.

The mission of the commission would be to find ways to tackle the most important problems facing the region through a variety of tools. The commission would define programs that meet the demands of the business community, are supportive of SCAG goals, lead to short-term successes, strengthen partnerships, and lead to long-term solutions through a combination of legislation, incentive programs, partnerships and cooperation.

Task Force membership will consist of SCAG presidential appointees with the assistance of elected officials and SCAG staff. Membership will be solicited in part through the personal outreach of the Executive Director. Membership will include both elected and non-elected community leaders. These may include representatives in the fields of government, business, finance, economics, real estate and development, planning, education, community advocacy, among others.

The Task Force will be convened as prospects, progress and issues dictate rather than on a pre-determined regular basis (e.g. monthly). Meeting location could rotate to venues throughout the SCAG region.

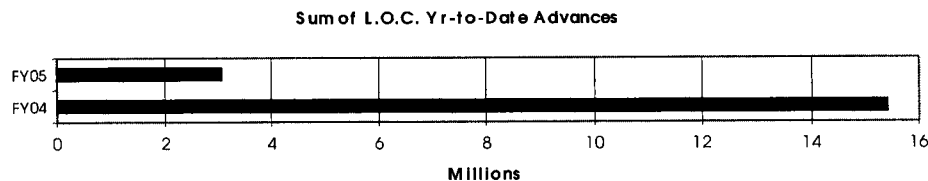
MEMO

DATE: April 14, 2005
TO: Administration Committee and Regional Council
FROM: Heather Copp, Chief Financial Officer 
(213) 236-1804, copp@scag.ca.gov
RE: Monthly Report for March 2005

Information Only

Background: This report contains information about SCAG's cash flow, budget and expenditure data as of March 31, 2005.

Cash Flow: The Association has been able to achieve 222 debt free days out of 274 days of the fiscal year. Year to date borrowings declined about 80% from \$15.4 million last year to \$3.0 million this year.



Budget and Expenses: The SCAG Agency-Wide and General Fund financial reports are attached. This financial data is directly exported from the SAP system. The Agencywide report is all inclusive of the OWP, General Fund, Indirect Cost and Fringe Benefits. We have categorized the accounts in the Agency-Wide report to give you a 'Big Picture'. These categories are summarized below and detailed on the following pages.

Percent of year: 75%

Category	Budget	YTD Expends	Balance	Percent Spent
Staff	9,493,544	6,250,008	3,243,536	66%
Consultant	12,851,348	1,868,548	10,982,800	15%
Sub Regions	1,799,645	258,544	1,541,102	14%
Direct Costs	4,702,273	2,340,279	2,361,994	50%
Fringe Benefits	3,324,808	2,266,236	1,058,572	68%
Other	3,274,692	992,438	2,282,254	30%
Total	35,446,310	13,976,053	21,470,258	39%



**Budget v. Actual and Encumbrances
Through March - 75% of Year**

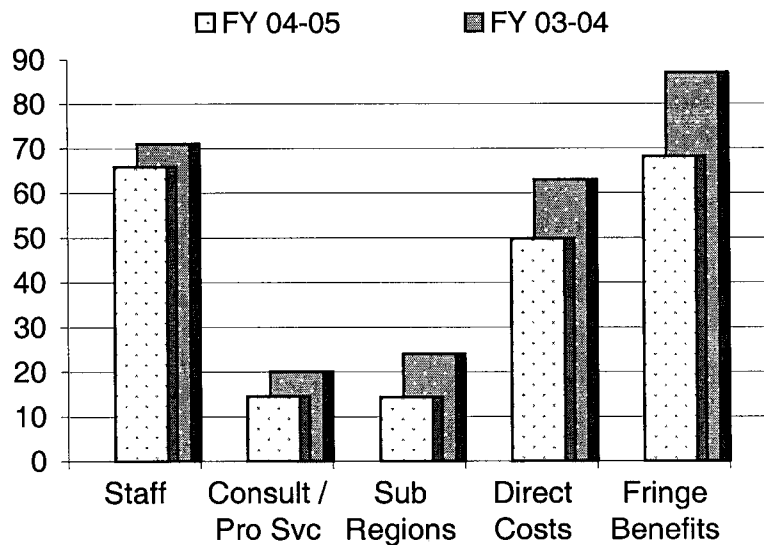
		Yr to Date Expenditures Thru March	Balance	Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs	Balance	Pct of Bud
	Budget							
Staff								
Salaries	9,392,544	6,083,153	3,309,391	65%	-	6,083,153	3,309,391	65%
Temporary Help	101,000	166,855	(65,855)	165%	136,444	303,299	(202,299)	300%
	9,493,544	6,250,008	3,243,536	66%	136,444	6,386,452	3,107,092	67%
Consultant / Professional Services								
SCAG Consultant	11,590,748	1,132,750	10,457,998	10%	8,176,375	9,309,125	2,281,623	80%
Legal Services	435,000	194,104	240,896	45%	230,396	424,500	10,500	98%
Professional Services	825,600	541,694	283,906	66%	264,263	805,956	19,644	98%
	12,851,348	1,868,548	10,982,800	15%	8,671,034	10,539,581	2,311,767	82%
Sub Regions								
Subregional Consultant	552,625	73,217	479,408	13%	397,114	470,331	82,294	85%
Subregional Staff Projects	1,247,020	185,327	1,061,694	15%	1,055,458	1,240,784	6,236	99%
	1,799,645	258,544	1,541,102	14%	1,452,572	1,711,115	88,530	95%
Direct Costs								
Internet Access Fees	3,000	1,199	1,801	40%	599	1,798	1,202	60%
Software Support	115,000	80,653	34,347	70%	1,012	81,665	33,335	71%
Hardware Support	35,000	20,908	14,092	60%	8,921	29,829	5,171	85%
Software Purchases	28,000	7,392	20,608	26%	9,188	16,580	11,420	59%
Office Rent - Main Office	1,400,000	824,554	575,446	59%	292,643	1,117,197	282,803	80%
Office Rent - Satellite Office	38,000	27,974	10,026	74%	7,019	34,993	3,007	92%
Equipment Leases	340,000	266,461	73,539	78%	82,293	348,754	(8,754)	103%
Equipment Repairs	25,000	10,927	14,073	44%	11,606	22,533	2,467	90%
Insurance	180,000	157,136	22,864	87%	-	157,136	22,864	87%
Payroll and Bank Process Fee	25,000	18,638	6,362	75%	-	18,638	6,362	75%
Office Supplies	101,000	72,145	28,855	71%	37,154	109,299	(8,299)	108%
Office Maintenance	-	220	(220)	0%	750	970	(970)	0%
Small Office Purchase	114,100	93,271	20,829	82%	10,460	103,731	10,369	91%
Telephone Charges	80,000	47,224	32,776	59%	1,678	48,902	31,098	61%
Postage and Delivery	80,000	49,966	30,034	62%	346	50,312	29,688	63%
SCAG Memberships	73,000	64,265	8,735	88%	244	64,509	8,491	88%
Professional Memberships	7,500	2,875	4,625	38%	334	3,209	4,291	43%
Resource Materials and Subs	79,904	69,745	10,159	87%	28,212	97,957	(18,053)	123%
Depreciation - Furniture	32,700	25,395	7,305	78%	-	25,395	7,305	78%
Depreciation - Computer	85,000	32,366	52,634	38%	-	32,366	52,634	38%
Capital Outlay	100,000	-	100,000	0%	9,799	9,799	90,201	10%
Recruitment Notices	22,000	18,627	3,373	85%	1,826	20,452	1,548	93%
Public Notices	27,500	6,315	21,185	23%	8,082	14,397	13,103	52%
Staff Training	50,000	21,069	28,931	42%	17,326	38,395	11,605	77%
RC & Committee Meetings	30,000	11,599	18,401	39%	14,044	25,643	4,357	85%
RC Retreat	15,000	-	15,000	0%	15,000	15,000	0	100%
RC General Assembly	0	-	0	0%	1,000	1,000	(1,000)	0%
Other Meeting Expense	90,000	24,770	65,230	28%	33,447	58,217	31,783	65%
Miscellaneous	247,792	39,288	208,504	16%	2,921	42,210	205,582	17%
RC Meeting Stipends	130,000	70,220	59,780	54%	-	70,220	59,780	54%
Letter of Credit Interest	40,000	9,788	30,212	24%	-	9,788	30,212	24%
Caltrans Rapid Pay Fees	2,000	825	1,175	41%	-	825	1,175	41%
Cash Contributions to Projects	654,000	76,784	577,216	12%	-	76,784	577,216	12%
Printing	149,227	43,938	105,289	29%	6,318	50,256	98,971	34%
Travel	216,400	84,354	132,046	39%	350	84,704	131,696	39%
Travel - Event Registration	28,800	28,134	666	98%	2,515	30,649	(1,849)	106%
AMPO Board Expense	0	-	0	0%	-	-	0	0%
RC Special Projects	20,000	12,404	7,596	62%	4,461	16,865	3,135	84%
RC Sponsorships	37,350	18,850	18,500	50%	-	18,850	18,500	50%
	4,702,273	2,340,279	2,361,994	50%	609,548	2,949,827	1,752,446	63%

**Budget v. Actual and Encumbrances
Through March - 75% of Year**

	Budget	Yr to Date Expenditures Thru March	Balance	Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs	Balance	Pct of Bud
Fringe Benefits								
Vacation Accrual Reconciliatio	-	(52,602)	52,602	0%	-	(52,602)	52,602	0%
Severance Pay	-	20,778	(20,778)	0%	-	20,778	(20,778)	0%
Sick Leave Payback	-	(4,580)	4,580	0%	-	(4,580)	4,580	0%
Compensation Awards	-	43,794	(43,794)	0%	-	43,794	(43,794)	0%
Retirement - PERS	1,376,879	942,368	434,511	68%	-	942,368	434,511	68%
Retirement - PARS	55,800	57,101	(1,301)	102%	-	57,101	(1,301)	102%
Health Insurance	773,000	509,222	263,778	66%	-	509,222	263,778	66%
Dental Insurance	78,895	65,740	13,155	83%	-	65,740	13,155	83%
Vision Insurance	30,000	18,803	11,197	63%	-	18,803	11,197	63%
Life Insurance	110,000	70,160	39,840	64%	-	70,160	39,840	64%
Medical & Dental Cash Rebate	316,000	188,142	127,858	60%	-	188,142	127,858	60%
Medicare Tax	135,137	81,114	54,023	60%	-	81,114	54,023	60%
Tuition Reimbursements	15,000	2,106	12,894	14%	-	2,106	12,894	14%
Bus Passes	15,000	7,695	7,305	51%	-	7,695	7,305	51%
Carpool Reimbursements	5,000	2,625	2,375	53%	-	2,625	2,375	53%
Bus Passes - Taxable	75,000	43,187	31,813	58%	-	43,187	31,813	58%
Workers Comp Insurance (1)	230,097	233,900	(3,803)	102%	-	233,900	(3,803)	102%
Unemployment Insurance	40,000	3,569	36,431	9%	-	3,569	36,431	9%
Deferred Comp Match	65,000	30,681	34,319	47%	-	30,681	34,319	47%
Benefit Administration Fees	4,000	2,433	1,567	61%	-	2,433	1,567	61%
	3,324,808	2,266,236	1,058,572	68%	-	2,266,236	1,058,572	68%
Other								
Soft Match Contributions	3,085,813	992,438	2,093,375	32%	2,134,657	3,127,096	(41,282)	101%
Reconcile to Burden	188,879	0	188,879	0%	-	0	188,879	0%
	3,274,692	992,438	2,282,254	30%	2,134,657	3,127,096	147,597	95%
Grand totals:	35,446,310	13,976,053	21,470,258	39%	13,004,255	26,980,307	8,466,004	76%

(1) Note: Workers Comp, in Fringe budget, paid in full, in July

% of Budget Spent @ 75% of year



**Budget v. Actual and Encumbrances
General Fund Only
Through March - 75% of Year**

	Budget	Yr to Date Expenditures Thru March	Balance	Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs	Balance	Pct of Bud
Staff								
Salaries	9,152	4,040	5,112	44%	-	4,040	5,112	44%
Fringe Burden	5,050	2,494	2,556	49%	-	2,494	2,556	49%
Indirect Burden	15,797	7,267	8,530	46%	-	7,267	8,530	46%
	29,999	13,801	16,198	46%	-	13,801	16,198	46%
Consultant / Professional Services								
SCAG Consultant	-	-	9,900	0%	65,984	75,984	(56,084)	0%
Legal Services	200,000	45,171	154,829	23%	154,829	200,000	-	100%
Professional Services	290,800	203,658	87,142	70%	87,142	290,800	-	100%
	490,800	248,829	251,871	51%	307,955	566,784	(56,084)	115%
Direct Costs								
Office Supplies	1,000	746	255	75%	-	746	255	75%
SCAG Memberships	12,500	12,313	187	99%	-	12,313	187	99%
Capital Outlay	100,000	-	100,000	0%	-	-	100,000	0%
RC & Committee Meetings	30,000	11,107	18,401	37%	14,044	25,643	4,357	85%
RC Retreat	15,000	-	15,000	0%	15,000	15,000	-	100%
RC General Assembly	-	-	-	0%	1,000	1,000	(1,000)	0%
Other Meeting Expense	-	-	42,500	0%	20,000	20,000	22,500	0%
Miscellaneous	1,000	762	6,438	76%	-	762	6,438	76%
RC Meeting Stipends	130,000	70,220	59,780	54%	-	70,220	59,780	54%
Letter of Credit Interest	40,000	9,788	30,212	24%	-	9,788	30,212	24%
Caltrans Rapid Pay Fees	2,000	825	1,175	41%	-	825	1,175	41%
Cash Contributions to Projects	654,000	76,784	577,216	12%	-	76,784	577,216	12%
Travel	37,000	11,757	25,243	32%	-	11,757	25,243	32%
Travel - Event Registration	13,000	3,298	9,702	25%	-	3,298	9,702	25%
AMPO Board Expense	-	-	-	0%	-	-	-	0%
RC Special Projects	20,000	12,404	7,596	62%	4,461	16,865	3,135	84%
RC Sponsorships	37,350	18,850	18,500	50%	-	18,850	18,500	50%
	1,092,850	228,854	912,205	21%	54,505	283,851	857,700	26%
Grand totals:	1,613,649	491,484	1,180,274	30%	362,460	864,436	817,814	54%